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Medical Educational Requirements

Sec. 20-10-1. Definitions

As used in Sections 20-10-1 through 20-10-3, inclusive:

(a) ''Accredited hospital'' means a hospital accredited by the Joint Commission on Accreditation of Hospitals.

(b) ''Department'' means the Department of Health Services.

(c) ''Liaison Committee on Medical Education'' means the Liaison Committee on Medical Education of the Association of American Medical Colleges and of the Council on Medical Education of the American Medical Association.

(d) ''Month,'' as used in subsection (b) of section 20-10-3 of these regulations, means a minimum of 30 days. No more than one month of attendance can be credited within any 30-day calendar period.

(e) ''Recognized regional accrediting body'' means one of the following regional accrediting bodies: New England Association of Schools and Colleges; Middle States Association of Colleges and Schools; North Central Association of Colleges and Schools; Northwest Association of Schools and Colleges; Southern Association of Colleges and Schools; and Western Association of Schools and Colleges.

(f) ''Week,'' as used in subsection (b) of section 20-10-3 of these regulations, means a minimum of 30 hours of supervised clinical instruction. No more than one week of supervised clinical instruction can be credited within any 7-day calendar period.

(Effective April 20, 1990)

Sec. 20-10-2. Medical education in the United States, its territories, or Canada

(a) An applicant graduating from a medical school located in the United States, its territories, or Canada shall be a graduate of a school which held accreditation by the Liaison Committee on Medical Education throughout the period of his attendance.

(b) An applicant attending, but not graduating from, a medical school located in the United States, its territories, or Canada shall attend a school which held accreditation by the Liaison Committee on Medical Education throughout the period of his attendance, in order to receive advanced standing credit for coursework successfully completed at such school.

(Effective April 20, 1990)

Sec. 20-10-3. Medical education outside the United States, its territories, or Canada

(a) An applicant graduating from a medical school located outside the United States, its territories, or Canada shall be deemed to have satisfied educational requirements for licensure, pursuant to subsection (1) (B) of section 20-10 of the Connecticut General Statutes, provided he is a graduate of a school which was listed in the *World Directory of Medical Schools: 1970,* published by the World Health Organization, Geneva, Switzerland, 1973.

(b) An applicant graduating from a medical school located outside the United States, its territories, or Canada which was not listed in the *World Directory of Medical Schools: 1970* shall be deemed to have satisfied educational requirements for licensure, pursuant to subsection (1) (B) of section 20-10 of the Connecticut General Statutes, provided he demonstrates, to the satisfaction of the Department, successful completion of a program of education satisfying all requirements of this subsection. Documentation, satisfactory to the Department, of the program of education shall be the responsibility of the applicant.

(1) The applicant shall have successfully completed a minimum of 2 years of post-secondary study prior to enrollment in the medical education program.

(A) Such study shall consist of a minimum of 60 semester units, or its equivalent, of post-secondary coursework successfully completed.

(B) Such study shall include post-secondary coursework in the following areas: biology; inorganic chemistry; organic chemistry; and physics.

(C) Post-secondary education shall, if undertaken in the United States or its territories, be done in an institution of post-secondary education accredited by a recognized regional accrediting body.

(D) Post-secondary education shall, if undertaken outside the United States or its territories, be done in an institution of post-secondary education legally chartered to grant post-secondary degrees in the country in which located, and shall be demonstrated to provide the equivalent of 60 semester units granted by an institution of post-secondary education accredited by a recognized regional accrediting body in the United States.

(2) The applicant's medical education shall be earned in a school that is fully licensed and approved, by the appropriate regulatory body of the jurisdiction in which it is located, to award the degree of doctor of medicine or its equivalent.

(3) The applicant shall have completed, prior to his graduation, a program of medical education deemed by the Department to be equivalent to that provided by medical schools accredited by the Liaison Committee on Medical Education. Equivalency shall be demonstrated by:

(A) Successful completion of a medical curriculum of not less than 32 months, or its equivalent, of full-time classroom and supervised clinical instruction;

(B) Successful completion of basic science coursework including, but not limited to the following disciplines: anatomy; biochemistry; microbiology; pathology; pharmacology; physiology; and behavioral sciences, which coursework shall be completed while physically attending the medical school and studying in residence in the jurisdiction in which the medical school is located; and

(C) Following completion of basic science coursework, successful completion of not less than 72 weeks, or its equivalent, of full-time supervised clinical coursework during which the applicant participated in hands-on direct patient care, of which not less than 36 weeks of full-time supervised clinical coursework shall be in the core clinical disciplines of medicine, surgery, obstetrics and gynecology, pediatrics and psychiatry. The minimum length of full-time supervised clinical coursework successfully completed in each of the core clinical disciplines shall be as follows: medicine, 8 weeks; surgery, 8 weeks; obstetrics and gynecology, 6 weeks; pediatrics, 6 weeks; and psychiatry, 4 weeks. Clinical coursework in subspecialty areas shall not be credited to satisfy the minimum lengths of coursework in the specified core clinical disciplines.

(4) The applicant shall have completed all clinical coursework in a hospital or hospitals which, at the time of the applicant's coursework, satisfied at least one of the following requirements:

(A) the hospital: (i) was an accredited hospital serving as a primary teaching hospital of a medical school located in the United States, its territories, Canada, or England, which school held accreditation by the Liaison Committee on Medical Education or was recognized by the Educational Committee of the General Medical Council for the United Kingdom; (ii) documented and evaluated the applicant's performance in writing as a basis for academic credit by the medical school; and (iii) has certified to the Department, based on records contemporaneous with the

applicant's coursework, that both the scope and content of the applicant's coursework and the applicant's performance were equivalent to those required of students of medical schools accredited by the Liaison Committee on Medical Education or recognized by the Educational Committee of the General Medical Council for the United Kingdom; or

(B) the hospital: (i) was an accredited hospital providing a residency training program in the clinical area of the applicant's coursework, which program was accredited by either the Accreditation Council on Graduate Medical Education, the Royal College of Physicians and Surgeons of Canada, the College of Family Physicians of Canada, or the Joint Committees on Higher Medical Training and Higher Surgical Training of the United Kingdom; (ii) documented and evaluated the applicant's performance in writing as a basis for academic credit by the medical school; and (iii) has certified to the Department that, based on records contemporaneous with the applicant's coursework, both the scope and content of the applicant's coursework and the applicant's performance were equivalent to those required of students of medical schools accredited by the Liaison Committee on Medical Education or recognized by the Educational Committee of the General Medical Council for the United Kingdom; or

(C) the hospital was the primary affiliated teaching hospital of the medical school attended by the applicant, located in the same country as the medical school attended, and staffed by full-time faculty of the medical school attended.

(5) If the applicant has undertaken supervised clinical coursework in the United States or its territories, all such coursework shall have been completed in accordance with all statutes and regulations governing the approval and conduct of such coursework in the jurisdiction in which the coursework was completed.

(6) Supervised clinical training, provided in a Fifth Pathway program by a medical school accredited by the Liaison Committee on Medical Education, shall be credited towards the requirements of supervised clinical coursework specified in subsection (b) (3) (C) of this section.

(7) If the applicant has undertaken medical studies at more than one medical school he:

(A) shall have attended a school which satisfies the requirements of this section, in order to have received advanced standing credit for any course-work successfully completed at such school; and

(B) shall have attended the medical school granting the degree of doctor of medicine or its equivalent for a minimum of two full-time academic years or 16 months of full-time instruction prior to graduation.

(8) If an applicant has graduated with the degree of doctor of medicine or its equivalent from a medical school located outside the United States, its territories, or Canada, and fails to document the successful completion of the post-secondary study requirements of subsection (b) (1) of this section, the applicant shall be deemed to have satisfied educational requirements of this subsection, provided that he demonstrates, to the satisfaction of the department, that he has:

(A) successfully completed an integrated program of pre-medical and medical education encompassing a minimum of five full-time academic years or forty months of full-time classroom and supervised clinical instruction; or

(B) successfully completed not less than 36 months of full-time progressive postgraduate medical education within a single specialty area recognized by the Accreditation Council on Graduate Medical Education in a program that is either accredited by the Accreditation Council on Graduate Medical Education or deemed

equivalent to such program by the department and the Connecticut medical examining board; or

(C) been certified by a specialty board approved by the American Board of Medical Specialties.

(9) If an applicant has graduated with the degree of doctor of medicine or its equivalent from a medical school located outside the United States, its territories, or Canada, and fails to document the successful completion of the basic science coursework requirements of subparagraph (b) (3) (B) of this section, the applicant shall be deemed to have satisfied educational requirements of this subsection, provided that he demonstrates, to the satisfaction of the department, that he has:

(A) successfully completed an integrated program of pre-medical and medical education encompassing a minimum of five full-time academic years or forty months of full-time classroom and supervised clinical instruction; or

(B) successfully completed not less than 36 months of full-time progressive postgraduate medical education within a single specialty area recognized by the Accreditation Council on Graduate Medical Education in a program that is either accredited by the Accreditation Council on Graduate Medical Education or deemed equivalent to such program by the department and the Connecticut medical examining board; or

(C) been certified by a specialty board approved by the American Board of Medical Specialties.

(10) If an applicant has graduated with the degree of doctor of medicine or its equivalent from a medical school located outside the United States, its territories, or Canada, and fails to document the successful completion of the clinical coursework requirements of subsections (b) (3), (b) (4), or (b) (7) of this section, the applicant shall be deemed to have satisfied educational requirements of this subsection, provided that he has successfully completed not less than 36 months of full-time progressive postgraduate medical education within a single specialty area recognized by the Accreditation Council on Graduate Medical Education in a program that is either accredited by the American Council on Graduate Medical Education or deemed equivalent to such program by the Department and the Connecticut Medical Examining Board, or has been certified by a specialty board approved by the American Board of Medical Specialties.

(Effective March 31, 1992; amended January 17, 1996)

Standards for the Review of Graduate Medical Training

Sec. 20-10-4. Definitions

For the purposes of sections 20-10-4 to 20-10-6, inclusive, of the Regulations of Connecticut State Agencies:

(1) ''Applicant'' means a person seeking physician licensure pursuant to Chapter 370 of the Connecticut General Statutes.

(2) ''Department'' means the Department of Public Health.

(3) ''Senior physician executive'' means a sponsoring department chair, training program director or medical staff officer in the United States.

(Adopted effective November 29, 1999)

Sec. 20-10-5. Equivalent training program

An applicant may be deemed to have completed an equivalent program, pursuant to subdivision (2) of section 20-10 of the Connecticut General Statutes, provided he has had no lapse greater than six consecutive months of active clinical practice

during the twenty-four months immediately preceding the submission of his application to the department and satisfies one of the following criteria:

(1) Holds current certification by a specialty board approved by the American Board of Medical Specialties or has been admitted for the certification examination by such board;

(2) Holds current certification by a foreign specialty board accepted as meeting the education and training requirements for certification examination by a board approved by the American Board of Medical Specialties; or

(3) Has successfully completed, at a level greater than the second post graduate year, one year of an Accreditation Council for Graduate Medical Education accredited residency or fellowship training program.

(Adopted effective November 29, 1999)

Sec. 20-10-6. Individual review

An applicant who does not satisfy the criteria of section 20-10-5 of the Regulations of Connecticut State Agencies may petition the department for an individual review of his credentials. Such petition shall be supported by evidence of education and training and a letter of reference from a senior physician executive. If deemed appropriate by the department, the request will be presented for review before the Connecticut Medical Examining Board.

(Adopted effective November 29, 1999)

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Reporting Actions Taken Against Physicians

Sec. 20-13d-1. Reporting disciplinary actions taken against physicians

(a) The Department of Public Health shall post a summary of disciplinary actions taken by the Connecticut Medical Examining Board on the Board's web page within five business days of the Board's monthly meeting.

(b) The summary posted to the Board's web page in accordance with subsection (a) of this section shall note specifically any disciplinary actions that are stayed pursuant to section 4-183(f) of the Connecticut General Statutes while an appeal is pending.

(Effective September 28, 1985; amended September 1, 2006)

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Continuing Education for Chiropractors

Sec. 20-32b-1. Definitions

For the purpose of sections 20-32b-1 through 20-32b-7 of the Regulations of Connecticut State Agencies, the following definitions apply:

(1) ''Active practice'' means the treatment in Connecticut of one or more patients by a licensee during any given registration period.

(2) ''Certificate of completion'' means a document issued to a participant by a provider which certifies that said participant has successfully completed a continuing education activity. Such certificate shall include:

(A) participant's name;

(B) provider's name;

(C) title or subject area of the activity;

(D) date and location of attendance; and

(E) number of contact hours completed.

(3) ''Self-assessment program'' means a comprehensive, complex, interactive self-study, primary-care, patient-centered evaluation covering each of the following areas:

(A) differential diagnosis;

(B) treatment programs;

(C) risk management; and

(D) cost effective managed care.

(4) ''Contact hour'' means a minimum of fifty minutes of continuing education activity.

(5) ''Continuing education monitoring period'' means a period beginning in an odd-numbered year and consisting of two consecutive registration periods.

(6) ''Department'' means the Department of Public Health.

(7) ''Face-to-face instruction'' means in-person, live instruction which a participant physically attends, either individually or as part of a group of participants.

(8) ''Licensee'' means a chiropractor licensed pursuant to Section 20-27 of the Connecticut General Statutes.

(9) ''License renewal due date'' means the last day of the month of the licensee's date of birth.

(10) ''Participant'' means a licensee who successfully completes a continuing education activity.

(11) ''Provider'' means the individual, organization, educational institution or other entity conducting the continuing education activity.

(12) ''Registration period'' means the one-year period during which a license which has been renewed in accordance with Section 19a-88 of the Connecticut General Statutes, is current and valid and which one year period terminates on the license renewal due date.

(Adopted, effective April 29, 1997)

Sec. 20-32b-2. Number of credits required

(a) Each licensee shall complete a minimum of forty-eight credit hours of continuing education during each continuing education monitoring period.

(b) A licensee shall not carry over continuing education credit hours to a subsequent continuing education monitoring period.

(Adopted, effective April 29, 1997)

Sec. 20-32b-3. Basic requirements for continuing education programs

Continuing education activities shall meet the following requirements:

(a) the activity involves face-to-face instruction or a self-assessment program;

(b) the provider implements a mechanism to monitor and document attendance at face-to-face instruction or, in the case of a self-assessment program, the provider implements a mechanism to document completion of such program;

(c) the provider retains written records for three years from the participant's actual successful completion of the activity, including but not necessarily limited to:

(1) content description;

(2) instructor;

(3) date of course;

(4) location of course;

(5) list of participants; and

(6) number of contact hours;

(d) the provider implements a mechanism to evaluate participants' attainment of educational objectives and to provide for participants' assessment of the educational activity;

(e) the provider issues a certificate of completion after the participant's actual successful completion of the activity; and

(f) the activity focuses on content specified in section 20-32b-4 of the Regulations of Connecticut State Agencies.

(Adopted, effective April 29, 1997)

Sec. 20-32b-4. Qualifying programs

(a) **Content.** To qualify for award hours in accordance with subsection (b) of this section, continuing education programs shall concentrate on one or more of the topics in subdivision (1) of section 20-24 and section 20-28 of the Connecticut General Statutes. Self-assessment programs shall be offered or sponsored by a college of chiropractic accredited by the Council on Chiropractic Education or a provider of continuing medical education approved or accredited by the Accreditation Council for Continuing Medical Education.

(b) **Award of credit hours**

(1) Continuing education credit hours shall be awarded as follows:

(A) courses, institutes, seminars, programs, clinics and scientific meetings: one credit hour for each contact hour of attendance;

(B) first presentation by licensee of an original paper, essay or formal lecture in chiropractic to a recognized group of fellow professionals at a scientific meeting: two credit hours for the first presentation of the material in any two year period;

(C) original scientific paper published by licensee in a scientific professional journal that accepts papers only on the basis of independent review by experts: six credit hours for the first publication only of the material; and

(D) self-assessment programs: one credit hour for each contact hour of time spent completing the self-assessment program. Self-assessment programs may include distance learning and internet-based educational programs.

(2) Eight credit hours shall be the maximum continuing education credit hours granted for and one day's participation in the activities specified in subsection (b)(1) of this section.

(3) The licensee shall successfully complete a continuing education activity for award of any continuing education credit hour.

(4) Activities that do not qualify for award of credit hours include:

(A) professional organization business meetings;
(B) speeches delivered at luncheons or banquets;
(C) reading of books, articles or professional journals; and
(D) with the exception of self-assessment programs that meet the requirements specified in Section 20-32b-3 of the Regulations of Connecticut State Agencies, home study courses, correspondence courses, audio-visual materials and other mechanisms of self-instruction.
(Adopted, effective April 29, 1997; amended October 6, 2004, December 5, 2005)

Sec. 20-32b-5. Record retention by licensees

(a) Each licensee shall obtain a certificate of completion from the provider for each continuing education activity successfully completed. Each licensee shall maintain, for continuing education activities specified in (B), (C) and (D) in subdivision (1) of subsection (b) of section 20-32b-4 of the Regulations of Connecticut State Agencies, written documentation of completion. The licensee shall retain certificates of completion if issued or, if not, other written evidence of completion for a minimum of three years after the end of the continuing education monitoring period during which the licensee successfully completed the activity.

(b) The Department may inspect such licensee records as it deems necessary. The licensee shall submit certificates of completion if applicable or other written evidence of completion to the Department only upon the Department's request. The licensee shall submit such records to the Department within forty-five days of the Department's request.

(c) A licensee who fails to comply with the requirements of sections 20-32b-1 through 20-32b-6 of the Regulations of Connecticut State Agencies may be subject to disciplinary action, pursuant to Section 20-29 of the Connecticut General Statutes, or a non-renewal of his or her license.
(Adopted, effective April 29, 1997)

Sec. 20-32b-6. Waiver of the continuing education requirement for good cause

(a) A licensee who is not engaged in any active practice during a given continuing education monitoring period shall be exempt from continuing education requirements on submission, prior to the expiration of the continuing education monitoring period, of a notarized application on a form provided by the Department. The application shall contain the statement that the licensee shall not engage in active practice until the licensee has shown proof of completion of requirements specified in section 20-32b-2 through Section 20-32b-5 of the Regulations of the Connecticut State Agencies.

(b) A licensee applying for license renewal for the first time is exempt from continuing education requirements.
(Adopted, effective April 29, 1997)

Sec. 20-32b-7. Requirements for return to active practice following exemption from continuing education requirements

A licensee who has been exempt, pursuant to subsection (a) of section 20-32b-6 of the Regulations of Connecticut State Agencies, shall submit to the department evidence of successful completion of twenty-four credit hours of continuing education within six months after returning to active practice.
(Adopted, effective April 29, 1997)

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State Board of Natureopathy Examiners

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Permits to Physicians to Serve As Interns or Residents in Hospitals in This State for the Purpose of Extending Their Education

Sec. 20-44-1. Education permits for physicians ineligible for license

Physicians ineligible for licensure to practice medicine in the state of Connecticut, for lack of residence or citizenship requirements, or because they are graduates of foreign medical schools not accredited in this state, seeking permits to serve as interns or residents in Connecticut hospitals for the purpose of extending their education, shall complete the following application in all of its details and submit it to the hospitals for its endorsement, and shall file the same together with a ten dollar fee, to the Connecticut medical examining board.

APPLICATION FOR EDUCATIONAL PERMIT

I hereby make application for a ☐ first ☐ renewal permit to serve as an intern or resident an approved hospital in the State of Connecticut for the purpose of extending my medical education as provided in section 20-44 of the General Statutes of Connecticut for a period of one year from _____ to _____
date date

Name _____
Last First Middle

Place of Birth _____ Date of Birth _____

Present Address _____

I obtained my medical education at the following institution(s):

Name in full and location of institution(s) Month Year to Month Year

_____

_____

_____

_____

I received a degree of _____ from _____

_____ in _____ (month) 19____

Subsequent training and hospital service _____

_____

I am a citizen of _____ and entered the United States
country

(or intend to enter the United States) on or about _____
date

on a student; visitor; or permanent (underline which) visa on Passport No. _____ issued by _____ and expect to remain in the United States
name of country

___ months. It is my intent to accept an appointment as intern (or resident) in the _____ Hospital
name of hospital

located in _____ Connecticut.

If the Educational Permit applied for is issued to me I accept it with full understanding that it is not a registration to practice medicine and surgery in the State of Connecticut and will not lead to such registration at a later date unless all requirements of Connecticut Statutes relating to registration to practice medicine and surgery are met.

Signature _____

Date _____

STATEMENT OF HOPSITAL

I _____ acting in behalf of the

_____
name of hospital

certify to the identity of the signer of the above application and that Dr. _____ _____ for applicant herein, has been appointed an intern (or resident) in this hospital for the period _____ to _____ (if a resident, state to which service the applicant is appointed _____).

Signed _____
Official title _____
Date _____

Sec. 20-44-2. Term of permit

Permits shall be for the term of one year from date of issuance and may be renewed at the board's discretion for an additional year in the original or another hospital in Connecticut upon reapplication by the physician.

Sec. 20-44-3. Cancellation or revocation

Permits shall be subject to cancellation or revocation (a) if the physician holding the permit is separated from the hospital where he is serving for any cause; (b) if in the opinion of the hospital he is not competent because of lack of education and training; (c) if the physician is guilty of unprofessional conduct or misconduct.

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Continued Competency Requirements for Biennial License Renewal by Occupational Therapists and Occupational Therapy Assistants

Sec. 20-74i-1. Definitions

For the purpose of these regulations, the following definitions shall apply.

(a) ''Department'' means the Department of Public Health.

(b) ''Licensee'' means an occupational therapist or occupational therapy assistant licensed pursuant to Connecticut General Statutes, Chapter 376a.

(c) ''License renewal due date'' means the last day of the month of July during an odd-numbered year in which licenses expire.

(d) ''Registration period'' means the two-year period during which a license which has been renewed in accordance with Connecticut General Statutes, Section 20-74h, is current and valid and which two-year period terminates on the license renewal due date.

(e) ''Active practice'' means the treatment in Connecticut of one or more patients by a licensee during any given registration period.

(f) ''Provider'' means an individual health care provider or educator, organization, educational institution or other entity conducting a continued competency activity. Providers shall include but not necessarily be limited to: educational institutions accredited by the Accreditation Council for Occupational Therapy Education or its successor organization and its constituent organizations; and the Veterans Administration and Armed Forces when conducting programs at United States governmental facilities.

(g) ''Participant'' means a licensee who completes a continued competency activity.

(h) ''Contact hour'' means a minimum of 50 minutes of continued competency activity.

(i) ''Face-to-face instruction'' means in-person, live instruction which a participant physically attends, either individually or as a part of a group of participants.

(j) ''Home study program'' means continued competency activities clearly related to maintaining skills necessary for the safe and competent practice of occupational therapy that require successful completion of a proficiency examination, and may include distance learning and internet-based educational programs.

(k) ''Certificate of completion'' means a document issued to a participant by a provider which certifies that said participant has successfully completed a continued competency activity.

(Effective August 22, 1988; amended December 4, 2009)

Sec. 20-74i-2. Number of continued competency contact hours required

(a) Each licensee applying for license renewal in and after 1991 shall have completed a minimum of 12 units of qualifying continued competency activity for occupational therapists, or a minimum of 9 units of qualifying continued competency activity for occupational therapy assistants, during the preceding registration period. For registration periods commencing on and after January 1, 2011, each licensee applying for license renewal shall have completed a minimum of 24 four contact hours of qualifying continued competency activity for occupational therapists, or a minimum of 18 contact hours of qualifying continued competency activity for occupational therapy assistants, during the preceding registration period.

(b) Continued competency activities completed in one registration period shall not be allowed to carry-over to a subsequent registration period.

(c) Each licensee applying for license renewal shall sign a statement attesting that the licensee satisfies the continued competency requirements specified in section 20-74i-1 through 20-74i-8, inclusive, of the Regulations of Connecticut State Agencies.

(Effective August 22, 1988; amended December 4, 2009)

Sec. 20-74i-3. Award of continued competency contact hours

(a) Continued competency contact hours shall be awarded as follows:

(1) Academic courses, institutes, seminars, programs, structured didactic inservice training and scientific meetings directly related to the practice of occupational therapy: one contact hour for each hour of attendance.

(2) A maximum of 6 continued competency contact hours per registration period, shall be awarded for courses taught as an appointed faculty member at a school of occupational therapy accredited by the Accreditation Council for Occupational Therapy Education or its successor organization, provided that teaching is not the licensee's primary role.

(3) Full-time post-graduate attendance throughout the registration period in an advanced educational program accredited by the Accreditation Council for Occupational Therapy Education or its successor organization: ten contact hours per semester credit hour.

(4) Successful completion of the Certification Examination for Occupational Therapist, or the Certification Examination for Certified Occupational Therapy Assistant, if taken five years or more after graduation: twelve contact hours.

(5) First presentation by licensee of a paper, essay or formal lecture in occupational therapy at a training program, an educational meeting or providing professional in-service training or instruction for occupational therapists, occupational therapy assistants and related professionals: one contact hour for each hour of presentation.

(6) First presentation only of a scientific or educational exhibit at a professional meeting: one contact hour for each hour of presentation to a maximum of twelve contact hours per registration period for occupational therapists and nine contact hours per registration period for occupational therapy assistants.

(7) First publication for authorship of original work in occupational therapy, published in the scientific or professional press: 5 contact hours per article in a non peer-reviewed publication; 10 contact hours per article in a peer-reviewed professional publication or chapter in an occupational therapy or related professional textbook.

(8) Clinical activities in a research project shall be awarded for appointment as a research assistant to a research project in occupational therapy which is funded by State, Federal or institutional grant: ten contact hours per project.

(9) Appointment as a teaching assistant at a school of occupational therapy accredited by the Accreditation Council for Occupational Therapy Education or its successor organization: eight contact hours per registration period.

(10) Supervision as the primary direct clinical supervisor of a 12-week field work placement for an occupational therapy student or an 8-week field work placement for an occupational therapy assistant student enrolled in a program accredited by the Accreditation Council for Occupational Therapy Education or its successor organization: One contact hour for each week of supervision per student supervised to a maximum of twelve contact hours per registration period for occupational therapists and nine contact hours per registration period for occupational therapy assistants.

(11) Professional manuscript review or editing for journals or textbooks: One contact hour for five hours of review to a maximum of twelve contact hours per registration period for occupational therapists and nine contact hours per registration period for occupational therapy assistants.

(12) Auditing formal academic coursework: two contact hours per fifteen clock hours to a maximum of twelve contact hours per registration period for occupational therapists or nine contact hours per registration period for occupational therapy assistants.

(b) Successful completion of an entire continued competency activity shall be required for award of any continued competency contact hours.

(c) Activities which will not qualify for award of continued competency contact hours include: professional organizational business meetings; speeches delivered at luncheons or banquets; the reading of books, articles, or professional journals; correspondence courses, and other mechanisms of self-instruction except when used as a component of a home study program; and audio-visual materials, except when audio-visual materials are used as a component of a qualifying continued competency activity identified in subsection (a) of this section.

(Effective August 22, 1988; amended December 4, 2009)

Sec. 20-74i-4. Criteria for qualifying continued competency activities

Continued competency activities identified in subsection (a) (1) of section 20-74i-3 shall qualify to satisfy the requirements of these regulations, provided:

(a) the activity involves face-to-face instruction or a home study program;

(b) the provider implements a mechanism to monitor and document physical attendance at face-to-face instruction or to verify that a licensee completed a home study program as defined in section 20-74i-1(j);

(c) the provider retains written records for a period of three years including but not limited to: content description; instructor; date(s) of activity; location of activity; list of participants; and number of contact hours;

(d) the provider implements a mechanism to evaluate participants' attainment of competency objectives and/or participants' assessment of the competency activity;

(e) the provider issues a certificate of completion; such certificate shall not be issued by the provider prior to actual completion of the activity; such certificate shall include: participants' name; provider's name; title or subject area of the activity; date(s) and location of attendance; and number of contact hours completed;

(f) the activity focuses on content specified in section 20-74i-5.

(Effective August 22, 1988; amended December 4, 2009)

Sec. 20-74i-5. Content areas for qualifying continued competency activities

(a) Subject matter for qualifying continued competency activities shall reflect the professional needs of the licensee in order to meet the health care needs of the public. Only those continued competency activities which provide significant theoretical and/or practical content directly related to the clinical practice of occupational therapy or the development, administration, and supervision of clinical practice or service delivery programs by occupational therapists shall qualify to meet the requirements of these regulations.

(b) Activities shall not qualify which provide content related to organization and design of occupational therapy treatment facilities; practice development, business management, or marketing; investments or financial management; personnel management; personal health or development; and similar topics of professional concern.

(Effective August 22, 1988)

Sec. 20-74i-6. Record retention by licensees

(a) Each licensee shall obtain a certificate of completion, for those activities properly completed, from the provider of continued competency activities. Each licensee shall maintain, for continued competency activities specified in section 20-74i-3, written documentation of completion. Certificates of completion and other required documentation shall be retained by the licensee for a minimum of three years following the license renewal due date for which the activity satisfies license renewal requirements.

(b) The department shall audit such licensee records as it deems necessary. Certificates of completion and other required documentation shall be submitted by the licensee to the department only upon the department's request. Such records shall be submitted to the department by the licensee within 45 days of the department's request for an audit. It shall not be necessary for the licensee to submit such documentation in order to renew the license.

(c) A licensee who fails to comply with the continued competency requirements of these regulations may be subject to disciplinary action, pursuant to Connecticut General Statutes, Section 20-74g and Section 4-177.

(Effective August 22, 1988; amended December 4, 2009)

Sec. 20-74i-7. Exemption from continued competency requirements

(a) Individuals applying for initial licensure in Connecticut and licensees applying for the first renewal of their license in Connecticut shall be exempt from continued competency requirements.

(b) A waiver of the continued competency requirements may be extended to a licensee who is not engaged in occupational therapy during a given continued competency registration period provided the licensee submits, prior to the expiration of the registration period, a notarized application on a form provided by the department. The application shall contain a statement that the licensee shall not engage in active practice until the licensee has shown proof, to the satisfaction of the department, of completion of the requirements specified in sections 20-74i-1 to 20-74i-8, inclusive, of the Regulations of Connecticut State Agencies.

(c) The department may, in individual cases involving a medical disability or illness, grant waivers of the minimum continued competency requirements or extensions of time within which to fulfill the same. The application for a waiver or extension of time shall be accompanied by a document signed by a licensed physician detailing the nature of the medical disability or illness. Waivers of the minimum continued competency requirements or extensions of time may be granted by the department for a period not to exceed one (1) year. If the medical disability or illness, upon which a waiver or extension of time is granted continues beyond the period of the waiver or extension of time, the licensee may reapply for an additional waiver or extension of time.

(d) A licensee who has received a waiver, pursuant to subsection (b) of this section, shall submit to the department evidence of successful completion of twelve contact hours for occupational therapists or nine contact hours for occupational therapy assistants within six months after returning to active practice.

(Effective August 22, 1988; amended December 4, 2009)

Sec. 20-74i-8. Reinstatement of lapsed licenses

Any licensee whose license has been void and who applies to the department for reinstatement shall be required to submit certificates of completion documenting completion of continued competency activities as specified below:

(a) if the license has been void for two years or less, a minimum of twenty four contact hours for occupational therapists or eighteen contact hours for occupational therapy assistants of qualifying continued competency activity during the two-year period immediately preceding the application for reinstatement; or,

(b) if the license has been void for more than two years, a minimum of forty eight contact hours for occupational therapists or thirty six contact hours for occupational therapy assistants of qualifying continued competency activity during the four-year period immediately preceding the application for reinstatement.

(Effective August 22, 1988; amended December 4, 2009)

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Criteria and Procedures for Substance Abuse Counselor Certification

Sec. 20-74o-1. Definitions

For the purpose of sections 20-74o-1 through 20-74o-4 inclusive the following definitions apply:

(a) ''Board'' means the Connecticut Alcoholism and Drug Abuse Counselor Certification Board.

(b) ''Code of ethics'' means standards of professional and personal conduct and competency for certified substance abuse counselors as established by the board.

(c) ''Commission'' means the Connecticut Alcohol and Drug Abuse Commission.

(d) ''Certified substance abuse counselor'' means a person who, by virtue of special knowledge, training and experience, is uniquely able to inform, motivate, guide and assist alcoholics or drug dependent persons or both, and those persons affected by problems related to the abuse of alcohol or drugs or both, and has been certified by the commission.

(e) ''Executive director'' means the executive director of the Connecticut alcohol and drug abuse commission.

(f) ''Registry'' means the list of certified substance abuse counselors maintained by the commission.

(Effective November 27, 1992)

Sec. 20-74o-2. Certification process

A candidate who applies for certification as a substance abuse counselor may be certified in the area of alcoholism or drug abuse or both.

(a) **Eligibility.** A substance abuse counselor shall be eligible for certification by the commission:

(1) When the applicant demonstrates he has been certified by the board and such certification is in good standing at the time of the application for commission certification.

(2) The applicant provides evidence to the commission that the applicant has acquired the minimum number of hours of substance abuse counseling experience under clinical supervision as required in subparagraph (B) of this subdivision. Such experience shall be documented according to the area of certification and shall have been accrued within the twelve (12) years prior to application.

(A) Such experience shall be acquired under the clinical supervision of a senior staff member of a treatment facility who has experience and training in substance abuse counseling and whose duties include overseeing client care; and

(B) Such experience shall include a minimum number of hours providing counseling in alcoholism or drug abuse or both to substance abusers as follows:

(i) To be certified as an alcoholism substance abuse counselor, an applicant shall demonstrate that he has provided a minimum of 4,000 hours of alcoholism counseling to substance abusers;

(ii) To be certified as a drug abuse substance abuse counselor an applicant shall demonstrate that he has provided a minimum of 4,000 hours of drug abuse counseling to substance abusers;

(iii) To be certified as both an alcoholism and drug abuse substance abuse counselor, an applicant shall demonstrate that he has provided a minimum of 6,000 hours of counseling to substance abusers;

(iv) At least fifty percent of such counseling shall be acquired through paid employment. The other fifty percent may be acquired through paid employment,

internship/practicum experience, or a combination thereof. Every hour of internship/practicum experience shall be credited as if it were one hour of paid employment; and

(3) The applicant provides evidence to the commission that the applicant has completed the minimum amount of training for certification as a substance abuse counselor.

(A) Such training shall be on a specific topic that relates to the counselor's responsibilities. The topics may include but are not limited to client intake, evaluation, orientation and motivation, treatment planning, consultation and referrals, alcoholism and drug abuse education, individual and group counseling, working with family and others, reports and record keeping, client follow-up and aftercare, crisis intervention and outreach.

(B) Such training may be in the form of seminars, conferences, workshops and academic courses which shall be a minimum duration of five hours each.

(C) Such training shall include a minimum of 240 hours of training about alcoholism and drug abuse for certification in the single area of alcoholism or drug abuse or shall include a minimum of 360 hours of training about alcoholism and drug abuse for certification in the dual areas of alcoholism and drug abuse.

(i) Certification in the area of alcoholism shall include 120 hours of training about alcoholism.

(ii) Certification in the area of drug abuse shall include 120 hours of training about drug abuse.

(iii) Certification in the area of both alcoholism and drug abuse shall include 120 hours of training about drug abuse and 120 hours of training about alcoholism.

(D) Such training shall be documented to indicate that the applicant successfully completed the training. The documentation shall include the date, location, and subject matter of the training. The documentation may take the form of a grade report, transcript, certificate of completion, or memorandum from the instructor.

(b) **Application.**

(1) A substance abuse counselor who has been certified by the board shall make application for commission certification on a form designated by the commission.

(2) The applicant shall supply, on a form designated by the commission, verification to the commission that the board is in possession of all information as is required in subsection (a) of this section.

(3) The commission shall review all applications and shall verify that the applicant is certified by the board.

(4) The commission shall certify, for a period of two years from the date of issue, all applicants who meet its requirements as specified in subsection (a) of this section.

(c) **Recertification.**

(1) A certified substance abuse counselor in good standing may be recertified by the commission an indefinite number of times so long as he remainsin good standing and meets the requirements for recertification as stated in subdivisions (2) and (3) of this subsection.

(2) A substance abuse counselor who is certified by the commission shall apply for recertification on a form designated by the commission not later than thirty (30) days after the expiration date of his current certification. Failure of a certified counselor to apply for recertification shall cause the commission certification to become invalid. The name of such lapsed counselor shall be removed from the registry.

(3) An applicant for recertification shall provide evidence to the commission that he has been recertified by the board and has completed sixty (60) hours of training within the previous two (2) year period.

(A) Such training shall be on topics that relate to the counselor's responsibilities. Topics may include but are not limited to client intake, evaluation, orientation and motivation, treatment planning, consultation and referrals, alcoholism and drug abuse education, individual and group counseling, working with family and others, reports and record keeping, client follow-up and aftercare, and crisis intervention and outreach.

(B) Thirty (30) hours of such training must be alcohol/drug specific.

(C) Forty (40) hours of such training must be academic courses which may include workshops, seminars, or inservice, college or university work.

(D) A maximum of ten (10) hours of training may be in the form of individualized self-paced instruction which may include viewing mental health films, observing clinical work, attending self-growth group sessions, reviewing community treatment resources and professional publications, and teaching or consulting on substance abuse or mental health related subjects or professionals or clients.

(4) Any certification which becomes invalid pursuant to this subsection may be reinstated by the commission if application for reinstatement is made not later than six (6) years after the expiration date and the applicant provides evidence to the commission that he has been recertified by the board.

(Effective November 27, 1992)

Sec. 20-74o-3. Registry of certified substance abuse counselors

(a) The commission shall maintain a current registry of all certified substance abuse counselors.

(b) The entry for each certified substance abuse counselor shall include the following information:

(1) name;

(2) home or business address;

(3) home or business telephone number;

(4) employer's name or name of usual place of business; and

(5) the expiration date of the certification or recertification.

(c) Each certified substance abuse counselor shall promptly notify the commission of any change in the information required by subsection (b) of this section.

(Effective November 27, 1992)

Sec. 20-74o-4. Hearing panel, disciplinary action

(a) **Petition.** Any person may file a petition with the commission pursuant to the regulations of Connecticut state agencies, sections 17a-636-11 through17a-636-62 if they have cause to believe that a certified substance abuse counselor has violated any statutes, regulations or the board's code of ethics as set forth in the board's certification manual.

(b) **Investigation.** The commission may direct the executive director to conduct any investigation that it deems necessary.

(1) If, after investigation of the petition, the executive director finds there is not sufficient evidence to establish the alleged violation, he shall notify the commission, petitioner and respondent and no further action shall be taken.

(2) If, after investigation of the petition, the executive director determines there is evidence to substantiate the alleged violation, he shall submit a written report to

the commission which includes a summary of the evidence, specific statutes, regulations or codes of ethics which are alleged to have been violated, and his recommendations.

(c) **Panel.** The commission shall designate a hearing panel consisting of three members of the commission for the purpose of conducting any hearing regarding a complaint against a certified substance abuse counselor and reporting its recommendations to the commission.

(d) **Notice of hearing.** The executive director shall issue notice of the hearing. Such notice shall comply with the provisions of section 4-177 of the Connecticut general statutes and sections 17a-636-11 through 17a-636-62 of the regulations of Connecticut state agencies.

(e) **Hearing.** All parties shall be afforded the opportunity to respond and present oral and written evidence on the issues involved in the complaint.

(f) **Report.** The panel shall make a written report to the commission with a copy to the respondents and any other party deemed by the panel to be entitled to such copy. Such report shall include the recommendations of the panel, a brief statement of findings of fact and reasons supporting the recommendations.

(g) **Decision.** The commission shall issue its decision on the complaint which shall be binding on all parties.

(h) **Registry.** The counselor's name shall be removed from the registry if the certification is revoked by the commission. If the counselor is suspended by the commission, notice of the suspension shall be recorded in the registry during the time the suspension is in force.

(Effective November 27, 1992)

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Certification and Licensure Standards for Alcohol and Drug Counselors

Sec. 20-74s-1. Work experience or internship

(a) Work experience or internship required under section 20-74s(e)(2) of the Connecticut General Statutes shall constitute approved experience for Connecticut certification when all of the criteria specified below are satisfied:

(1) The work experience or internship shall entail: (A) working directly with persons who have been assessed or diagnosed as having an alcohol or other drug abuse dependency; and (B) providing specific counseling interventions that are directed toward the amelioration of a substance use disorder and that are identified in a treatment plan.

(2) The work experience or internship shall be specifically related to the knowledge and skills necessary to perform all of the following core counseling functions: screening, intake, orientation, assessment, treatment planning, counseling, case management, crisis intervention, client education, referral, report and record keeping, and consultation.

(3) The work experience or internship shall be no less than 6000 hours, except that a master's degree may be substituted for 2000 hours. Not less than 2000 of the required hours shall be in the core counseling functions specified in subdivision (2) of this subsection.

(4) The supervisor of the work experience or internship shall be (A) if in Connecticut, an alcohol and drug counselor licensed pursuant to section 20-74s of the Connecticut General Statutes, or certified as a clinical supervisor by the Connecticut Certification Board, or if the experience or internship occurred in Connecticut prior to October 2, 1998, an individual deemed licensed pursuant to section 20-74s(*l*) of the Connecticut General Statutes; (B) if outside Connecticut, an alcohol and drug counselor licensed as such or as a person entitled to perform similar services under a different designation, in the state or jurisdiction in which the training is completed; or (C) a person licensed in the state in which the training is completed to practice medicine and surgery, psychology, marital and family therapy, clinical social work, professional counseling, advanced practice registered nursing, or registered nursing when acting within the scope of such license, who has completed 50 hours of specialized alcohol and drug counseling education in the areas of pharmacology, assessment and treatment planning, and treatment techniques, and has experience working directly with persons who have been assessed or diagnosed as having an alcohol or other drug abuse dependency.

(5) The 300 hours of practical training in alcohol and drug counseling required under section 20-74s(e)(1) of the Connecticut General Statutes, may be part of the work experience or internship and shall include at least ten hours of practical training in each of the core counseling functions specified in subdivision (2) of this subsection.

(b) Work experience required under section 20-74s(n)(1) of the Connecticut General Statutes shall constitute approved experience for Connecticut certification when all of the criteria specified below are satisfied:

(1) Full time employment shall consist of a minimum of 2,000 hours per year and part time employment shall be not less than 50% of full time employment. For individuals working in facilities that define full time employment at a level less than 2,000 hours per year, the Department may consider accepting such employment as equivalent to full time employment provided such employment consists of at least 1,350 hours per year.

(2) The supervisor of the experience shall be (A) if in Connecticut, an alcohol and drug counselor licensed pursuant to section 20-74s of the Connecticut General

Statutes, or certified as a clinical supervisor by the Connecticut Certification Board, or if the experience occurred in Connecticut prior to October 2, 1998, an individual deemed licensed pursuant to section 20-74s(*l*) of the Connecticut General Statutes; (B) if outside Connecticut, an alcohol and drug counselor licensed as such or as a person entitled to perform similar services under a different designation, in the state or jurisdiction in which the training is completed; or (C) a person licensed in the state in which the training is completed to practice medicine and surgery, psychology, marital and family therapy, clinical social work, professional counseling, advanced practice registered nursing or registered nursing when acting within the scope of such license, who has completed 50 hours of specialized alcohol and drug counseling education in the areas of pharmacology, assessment and treatment planning, and treatment techniques, and has experience working directly with persons who have been assessed or diagnosed as having alcohol or other drug abuse dependency.

(c) Individuals who are certified by a board that is a member of the International Certification and Reciprocity Consortium/Alcohol and Other Drug Abuse shall be deemed to have met the requirements of this section.

(Adopted effective February 3, 2000)

Sec. 20-74s-2. Education

(a) The attainment of a master's degree or higher advanced degree from an accredited institution of higher education, with a minimum of 18 graduate semester hours in counseling or counseling - related subjects, shall satisfy the requirement of attainment of a masters degree under section 20-74s(d) of the Connecticut General Statutes.

(b) Education as required under section 20-74s(e)(3) of the Connecticut General Statutes, shall conform to the following:

(1) Cover each of the core counseling functions as specified in section 20-74s-1(a)(2);

(2) Of the 360 hours required, a minimum of 90 hours shall be in counseling theories and techniques. Up to 120 hours may be in areas that are not specific to alcohol and drug abuse, but shall be in the field of human behavior;

(3) Of the 240 hours pertaining to alcohol and drug abuse, 18 hours shall be in pharmacology, 30 hours shall be in assessment and treatment planning, 12 hours shall be in cross-cultural, special population and ethnically diverse groups, 12 hours shall be in ethics, and 6 hours shall be in Human Immunodeficiency Virus and Acquired Immunodeficiency Syndrome; and

(4) No more than 40 hours of in-service training may be credited toward satisfying the educational requirements.

(c) Individuals who are certified by a board that is a member of the International Certification and Reciprocity Consortium/Alcohol and Other Drug Abuse shall be deemed to have met the requirements of subsection (b) of this section.

(Adopted effective February 3, 2000)

Sec. 20-74s-3. Supervision

(a) The supervision required under section 20-74s(w) of the Connecticut General Statutes, shall be provided by an alcohol and drug counselor licensed or certified pursuant to section 20-74s of the Connecticut General Statutes, or a person licensed to practice medicine and surgery, psychology, marital and family therapy, clinical social work, professional counseling, advanced practice registered nursing, or registered nursing when acting within the scope of such license, who has completed 50 hours of specialized alcohol and drug counseling education in the areas of

pharmacology, assessment and treatment planning, and treatment techniques, and has experience working directly with persons who have been assessed or diagnosed as having an alcohol or other drug abuse dependency.

(b) ''Regular'' on-site observation, as required under section 20-74s(a)(7) of the Connecticut General Statutes, means a minimum of one time per week.

(Adopted effective February 3, 2000)

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Nursing Education Programs and Licensure Requirements

General

Sec. 20-90-45. Definition of terms

As used in sections 20-90-45 to sections 20-90-56, inclusive, of the Regulations of Connecticut State Agencies:

(1) ''Academic Semester'' means the semester length as established by policy by the parent institution;

(2) ''Accreditation'' means a level of quality achieved by educational programs and clinical facilities which have participated in voluntary evaluation by recognized agencies using predetermined criteria;

(3) ''Administrator'' means the registered nurse educator responsible for policies, contracts, curriculum, and overall administration of a nursing education program;

(4) ''Admission with advanced standing'' means academic credit for previous education or experience is given to a student;

(5) ''Advanced degree in nursing'' means a master's or doctoral degree in nursing;

(6) ''Advanced levels of students'' means students in the final year of study in a registered nursing education program;

(7) ''Approval'' means those nursing education programs and clinical facilities that are approved by the Board of Examiners for Nursing with the consent of the Commissioner;

(8) ''Board'' means the Connecticut Board of Examiners for Nursing;

(9) ''Client'' means the focus of nursing care, including individuals, families, groups, and communities;

(10) ''Collaborative judgment'' means shared decision making;

(11) ''Commissioner'' means the Commissioner of the Department of Public Health, or his or her designee;

(12) ''Contact hour'' means a fifty (50) or sixty (60) minute period of time spent by students in the presence of program faculty;

(13) ''Data collection'' means the process of collecting information, observing the client, recording, and reporting to the appropriate person signs, symptoms, and other pertinent data which may indicate that the client's condition deviates from normal or that there is a change in the client's condition;

(14) ''Direct client care experience'' means student learning that involves the provision of primary nursing services to clients;

(15) ''Educational outcomes'' means behaviors demonstrated by the graduate of a registered nurse or practical nurse education program;

(16) ''Laboratory experience'' means student learning that involves the manipulation of concepts or materials within a controlled environment;

(17) ''Licensing examination'' means the examination for the licensure of registered nurses or practical nurses and shall be an examination approved by the board of examiners for nursing, with the consent of the department, such as an examination provided by the National Council of State Boards of Nursing;

(18) ''Major curriculum changes'' means significant deviations in content or length from a currently approved education program;

(19) ''Nursing education program'' or ''program'' means a school of nursing;

(20) ''Nursing process'' is a problem-solving approach consisting of five sequential and interrelated phases: assessment, which involves the gathering of data related to a client's health needs; diagnosis, which involves the analysis of the data obtained; planning, which involves the design of nursing interventions to address client needs; implementation, which involves performing the interventions; and evaluation, which involves determining whether the diagnosis was accurate, the plan appropriate, and the interventions effective in addressing the client's needs;

(21) ''Observational experience'' means a structured student learning experience in which learners observe but do not provide direct client care services;

(22) ''Parent institution'' means the single agency or institution that administers the nursing education program in its entirety;

(23) ''Precepted clinical experience'' means student learning that involves the provision of primary nursing services to clients under the guidance and direction of a preceptor in collaboration with nursing education program faculty;

(24) ''Preceptor'' means a registered nurse who guides and directs students in the provision of nursing services to clients and who meets the requirements of section 20-90-51(f) of the Regulations of Connecticut State Agencies.

(25) ''Requirements'' means the minimum standards which nursing education programs must meet in order to be approved;

(26) ''Simulated experience'' means student learning that involves interaction with computer-generated or other lifelike models of clinical nursing situations;

(27) ''Supervision'' means the acceptance by a registered nurse educator of the responsibility and accountability for the health care delivered to clients by students under his or her onsite direction;

(28) ''Therapeutic nursing measures'' means those actions taken to implement the plan of care for a client;

(29) ''Transfer'' means a student with post-secondary coursework who seeks admission to a program; and

(30) ''Unexpected resignation'' means an unanticipated resignation effective within an academic year or after hiring of faculty for an academic year has been completed.

(Effective December 30, 1994; amended May 4, 2004)

Sec. 20-90-46. Types of programs

(a) All programs that prepare the graduate for licensure by examination as a registered nurse shall be approved by the board with the consent of the commissioner. Only those programs within one of the following types of organizations are eligible for approval:

(1) College or university: A program conducted by an educational unit in nursing within the structure of a college or university approved pursuant to Section 10a-34 of the Connecticut General Statutes leading to an associate, baccalaureate or higher degree in nursing.

(2) Hospital: a program conducted by a hospital licensed pursuant to Chapter 368V of the Connecticut General Statutes leading to a diploma in nursing.

(3) External Degree Program in Nursing: A curriculum based on theory and clinical practice or assessment conducted by an educational unit in nursing leading to an associate, baccalaureate, or higher degree in nursing.

(b) All programs that prepare the graduate for licensure by examination as a licensed practical nurse shall be approved by the board with the consent of the commissioner. Only those programs within one of the following types of organizations shall be eligible for approval:

(1) Vocational-Technical: A program conducted by the State Department of Education pursuant to Section 10-95 of the Connecticut General Statutes, in cooperation with affiliating health agencies, which prepares individuals for eligibility for licensure as practical nurses.

(2) Private school: A program conducted and operated by a person, board, organization, association or other entity, which prepares individuals for eligibility for licensure as practical nurses and meet the following requirements:

(A) Is approved by the State Commissioner of Higher Education as a private occupational school pursuant to Section 10a-22b of the Connecticut General Statutes; and

(B) Current accreditation by the Association of Independent Colleges and Schools or appropriate national accrediting association.

(3) College or university: A program conducted by an educational unit in nursing within the structure of a college or university approved pursuant to section 10a-34 of the Connecticut General Statutes preparing individuals for eligibility for licensure as a practical nurse.

(4) Hospital: a program conducted by a hospital licensed pursuant to Chapter 368V of the Connecticut General Statutes preparing individuals for eligibility for licensure as practical nurses.

(Effective December 30, 1994; amended May 4, 2004)

Sec. 20-90-47. Program approval

Board approval, with the consent of the commissioner, shall be administered as follows:

(a) **Initial approval:**

(1) To be granted initial approval, the parent institution shall provide to the board:

(A) written notice of intent to establish a program;

(B) a feasibility study for the planned program, which shall include discussion of at least the following:

(i) applicant pool;

(ii) graduate employment opportunities;

(iii) educational and clinical facilities to be utilized;

(iv) potential overlapping with other programs in the use of clinical facilities and the impact on both the proposed and existing programs;

(C) a timeline for employment of administration and nursing faculty. Initial hiring of the faculty shall be completed at least two (2) months prior to the proposed starting date. The administrator shall be actively employed at least six (6) months prior to the proposed starting date. The timeline shall also identify projected future staffing needs;

(D) a comprehensive plan for the development and implementation of the education program, including philosophy and educational outcomes, curricula, course outlines with plans for student evaluation, resource needs, timelines, and a systematic self-evaluation;

(E) any other information that the board may reasonably request.

(2) Proposed programs significantly different from current approved programs shall provide detailed information relative to activities which provide the student with opportunities to attain defined competencies and demonstrate in ongoing evaluations that students are meeting defined educational outcomes on schedule.

(3) The board shall:

(A) upon receipt of all documents provided by the program, conduct a scheduled onsite visit to review the program;

(B) upon determination that the documents and results of the onsite review were acceptable, extend initial approval to the program, with the consent of the commissioner.

(4) Pending satisfactory board review of the program's educational standards, such initial approval shall remain in effect until the results of the first licensing examination for program graduates are available. At that time the board will review the results and recommend either full approval, conditional approval, or program removal.

(b) **Full approval:**

(1) Full approval is granted by the board with the consent of the commissioner after the initial period of approval based on evidence that the program is meeting its educational outcomes as demonstrated by an acceptable level of graduates' performance, as defined in subdivision (2) of this subsection.

(2) An acceptable level of a program's graduates' performance shall be defined as:

(A) demonstrated mastery of nursing principles as evidenced by an average passing rate of at least 80% of students taking the licensing examination prescribed pursuant to Section 20-92 of the Connecticut General Statutes, upon their first attempt after graduation, as reported from May 1 to April 30; and

(B) demonstrated mastery of nursing practice as evidenced by an evaluation of graduates' achievement of the educational outcomes required by Section 20-90-53

or 20-90-56, as applicable, of the Regulations of Connecticut State Agencies, in a manner approved by the board.

(c) **Conditional approval:**

(1) Conditional approval may be granted for one year to a program previously having initial or full approval if:

(A) the graduates of the program fail to achieve the standards prescribed in subsection (B) of this section; or

(B) the program has initiated a major curriculum change pursuant to subsection (D) of this section; or

(C) conditions previously identified in violation of these regulations or the board's recommendations continue to be unresolved and pose a risk to public health or safety, as determined by the board.

(2) Special progress reports or onsite visits, or both, shall be required for programs with conditional approval, at the discretion of the board.

(3) The outcome of the board's subsequent review of special progress reports or onsite visits or both may be:

(A) return of the program to full approval; or

(B) placement of the program on an additional one year of conditional approval; or

(C) recommendation of program removal from the list of approved nursing education programs.

(d) **Major curriculum changes:**

(1) When a program proposes major curriculum changes, the administrator shall present a comprehensive plan to the board for approval with the consent of the commissioner prior to implementation. Plans shall include:

(A) rationale for the change;

(B) comparison of current versus proposed curriculum;

(C) explanation of the effects of the change on:

(i) currently enrolled students;

(ii) functions and role of graduates of the proposed program;

(D) timetable for implementation of the change; and

(E) plan for evaluation of the change.

(2) The previously approved curriculum must remain in effect until the proposed program is approved by the board.

(e) Periodically, the board shall review each nursing education program and shall conduct onsite visits to a program when it deems necessary.

(f) When a change of administration within a nursing education program is made, notice of the appointment of the new administrator shall be submitted to the board, accompanied by a summary of qualifications of the appointee. The board shall verify that the appointee meets the qualifications of Section 20-90-51(b) of the Regulations of Connecticut State Agencies.

(g) **Program removal.** The board, after a hearing, may remove a program from the list of approved programs, and the program must suspend the enrollment of students, when:

(1) The program has been on conditional approval for at least two years and has failed to correct the identified deficiencies which caused them to be placed on conditional approval;

(2) The board provides written notice of such hearing to the administrator of the program setting forth the particular reasons for the proposed action and fixing a date, not less than thirty days from the date of such written notice, at which time

representatives of the program shall have an opportunity for a prompt and fair hearing;

(3) Upon completion of the hearing the board shall make a recommendation to the commissioner regarding what action should be taken regarding the program; and

(4) The commissioner approves the recommended action.

(h) **Program closure.** When a decision is made to close a nursing education program, the program shall notify the board and submit a written plan and timetable for termination. All requirements and standards for students shall be maintained until the last student is transferred or graduated from the program. The parent institution shall develop and implement a policy providing for the safe storage of vital program records, including transcripts of all graduates and of students who fail to graduate. The program shall notify the board of the person, by title, name and address, responsible for providing transcripts and references for students.

(Effective January 6, 1992; amended May 4, 2004)

Education Standards – All Programs

Sec. 20-90-48. Administration

(a) **School organization**

(1) The authority of and administrative responsibility for the nursing education program shall be vested in the program administrator, who is responsible to the controlling body of the program either directly or indirectly through administrative channels. Each nursing education program shall have its own administrator.

(2) There shall be faculty sufficient to meet the educational outcomes of the program, the learning needs of the students, and the safety of the recipients of Health Care Services.

(A) The overall faculty/student ratio shall be no less than one (1) clinical faculty member for every ten (10) students engaged in direct client care experiences.

(B) The preceptor to student ratio shall be no less than one (1) preceptor for every two (2) students. Preceptors shall work in collaboration with program faculty, who retain responsibility for student evaluation. The ratio of faculty to precepted students shall be no less than one (1) faculty member for every sixteen (16) students.

(C) Upon written request from the program director, the board may, within its discretion and after reviewing the merits of the request, provide a temporary exception from the mandated faculty/student ratio.

(3) There shall be clerical staff to meet the needs of the administration and instructional personnel.

(4) Planning, selecting, directing, and evaluating of student learning experiences shall be the responsibility of the faculty. Planning of the clinical experience, including consideration of the appropriate faculty to student ratio and use of preceptors for the specific settings being utilized, shall be done in cooperation with the administrator of nursing service or the appropriate nursing personnel of cooperating health care entities.

(b) **Contractual agreements**

(1) There shall be signed contractual agreements between the nursing education program and cooperating health care entities when the program and the entities are independent.

(2) Contracts shall be developed by the program and shall be reviewed annually by the cooperating health care entity. Contracts shall be renewed at least every third year.

(c) **Philosophy and educational outcomes**

The philosophy and educational outcomes of the nursing education program shall:

(1) Be developed by the nursing program administrator and faculty;

(2) Be consistent with the philosophy and objectives of the parent institution;

(3) Describe the competencies of the graduate; and

(4) Provide the framework for the development, implementation and periodic evaluation of the program.

(d) **Students**

(1) There shall be written policies for admission, promotion and graduation of students which shall appear in at least one official publication of the program and which shall comply with applicable state and federal laws and regulations.

(2) The nursing education program shall be responsible for verifying the satisfactory completion of a secondary school educational program, or its equivalent, for each applicant before admission.

(3) Previous education shall be established by the program from transcripts obtained and kept on file. Graduation from an accredited or approved prior educational program shall be recorded.

(4) Readmission and transfer. The program shall establish and adhere to written policies for transfer and readmission. The program shall determine the remaining educational experiences necessary for the student to meet the educational outcomes of the nursing education program.

(5) Admission with advanced standing. Applicants with previous experience or courses of study relating to nursing may be admitted to a program preparing for registered nurse licensure or practical nurse licensure with advanced standing after an evaluation has been made by the nursing education program.

(6) There shall be written policies that are implemented for safeguarding the health and well being of the students which shall include, but not be limited to, provisions for counseling and guidance and admission physical examinations and which shall comply with applicable state and federal laws and regulations.

(Effective January 6, 1992; amended May 4, 2004)

Sec. 20-90-49. Records

The nursing education program shall maintain a system of administrative records that shall include current course outlines and evaluation instruments, faculty personnel records, faculty meeting and committee meeting reports, student records, pertinent correspondence, pertinent reports, and official publications of the nursing education program.

(Effective November 29, 1983; amended May 4, 2004)

Sec. 20-90-50. Facilities

(a) The parent institution responsible for the nursing education program shall provide facilities including: a library offering resources and services, office space, conference rooms, classrooms, and nursing laboratories sufficient to meet the needs of the program.

(b) Health care entities utilized by a nursing education program must provide the range of clinical nursing experiences appropriate to course objectives.

(Effective November 29, 1983; amended May 4, 2004)

Registered Nursing Education

Sec. 20-90-51. Nursing faculty

(a) The faculty and administrator must maintain an active R.N. licensure in Connecticut.

(b) **Faculty Education and Experience**

(1) Except as provided in subsection (c) of this section, the administrator of the program shall be a registered nurse and shall have an earned advanced degree in nursing, teaching experience in a program in nursing, and administrative experience.

(2) Except as provided in subsection (c) of this section, nurse faculty members in programs preparing registered nurses shall have earned advanced degrees in nursing and shall have appropriate nursing education or experience in their teaching area(s).

(3) Nurse faculty members in programs preparing practical nurses shall have earned baccalaureate and master's degrees, one of which shall be in nursing, and shall have appropriate nursing education or experience in their teaching area(s) except:

(A) faculty who meet the requirement in subsection (c) of this section; or

(B) faculty members who do not have an earned master's degree must complete a master's degree within four (4) years of hire, but shall hold a minimum of an earned baccalaureate degree in nursing upon hire and shall have three (3) years of clinical experience in nursing; and

(C) faculty members in nursing education programs requiring state teacher certification will have an additional two (2) years to complete the master's degree.

(c) **Grandfathering**

(1) Any faculty member or program administrator employed by a nursing education program approved by the board who was employed as such on the effective date of this section, shall be determined to have met the educational degree requirements in subsection (b) of this section provided such person holds the minimum of an earned master's degree.

(2) This provision shall apply even if the individual changes his or her place of employment provided that such individual remains employed in a faculty or administrative capacity in a nursing education program approved by the board.

(d) **Temporary Waiver**

(1) The board, in its discretion, may grant a temporary waiver of the educational requirements of subdivision (b)(2) or (b)(3) of this section to address emergency situations. Such waiver shall be granted for an individual up to a maximum of two years. Emergency situations include but are not limited to:

(A) the discharge or unexpected resignation of a faculty member;

(B) the death of a faculty member or extended illness of a faculty member that prevents the performance of teaching or clinical responsibilities;

(C) the inability to obtain faculty who satisfy the requirements of sections 20-90-45 to 20-90-56, inclusive, of the Regulations of Connecticut State Agencies, even after advertising for faculty qualified as provided in subsection (b) of this section.

(2) In evaluating an application for a temporary waiver requested by a nursing education program, the board may consider the following:

(A) Whether the program demonstrates an acceptable level of graduates' performance as defined in subsection 20-90-47(b) of the Regulations of Connecticut State Agencies; and

(B) Whether the faculty member to be hired possesses qualifications which include:

(i) competence and experience as a registered nurse in the clinical area in which the faculty member will be teaching;

(ii) a bachelor of science degree in nursing; and

(iii) matriculation in a master of science in nursing program.

(3) No waiver shall be granted unless at least 90% of full and part-time faculty members are in compliance with subsection (b), (c) or (e) of this section.

(4) A temporary waiver may be renewed if deemed appropriate by the board, based on consideration of the conditions in subdivisions (1), (2), and (3) of this subsection, except that no waiver shall be renewed unless the faculty member is matriculated in a master of science in nursing program.

(e) **Permanent Waiver**

(1) The board, in its discretion, may grant a permanent individual waiver of subsection (b)(2) of this section for faculty holding an advanced degree in a field other than nursing.

(2) In evaluating a request by a nursing education program for a permanent waiver, the board shall consider the appropriateness of the advanced degree for the particular course work the faculty member engages in.

(f) Preceptors used to guide and direct advanced levels of students in registered nursing education programs shall hold an active license as a registered nurse in Connecticut or in the state in which precepting occurs, a baccalaureate degree in nursing, and a minimum of two (2) years of experience in the role or specialty being experienced by the student.

(Effective December 30, 1994; amended May 4, 2004)

Sec. 20-90-52. Curriculum

(a) The curriculum shall meet the requirements of the parent institution in which the Nursing Education Program is housed and the state requirements for eligibility of the graduate for admission to the registered nurse licensing examination prescribed pursuant to Section 20-92 of the Connecticut General Statutes.

(b) The curriculum shall integrate theory and clinical practice in a manner that shall cause the Nursing Education Program graduates to meet the educational outcomes for registered nursing described in Section 20-90-53 of the Regulations of Connecticut State Agencies.

(c) The minimum length of the nursing component of the program must be equivalent to four (4) fifteen (15) week academic semesters and contain a minimum of thirty-five (35) semester hours of credit in nursing. Fifty percent (50%) of contact hours shall be in supervised direct client care experiences, observational experiences and simulated experiences appropriate to the program's educational outcomes, and laboratory experiences for the acquisition and practice of clinical nursing skills.

(Effective June 26, 1989; amended May 4, 2004)

Sec. 20-90-53. Educational outcomes

A graduate of a registered Nursing Education Program shall be able to:

(1) Perform the duties and responsibilities of the registered nurse within the framework of the nurse practice Act, Chapter 378 of the Connecticut General Statutes;

(2) Synthesize knowledge from nursing theory and the biological, physical, social, and behavioral sciences in providing health care to clients;

(3) Exercise critical thinking, ethical decision making, and independent judgment in using the nursing process to provide care to clients;

(4) Apply the nursing process to design, implement, and evaluate care for clients using a variety of technologies. The scope of care shall include preventive, curative, supportive, and restorative nursing interventions in both institutional and community-based settings;

(5) Develop and implement a variety of teaching and learning strategies in the provision of health teaching for clients in a variety of settings, using a variety of technologies;

(6) Identify the scientific basis for assessments and therapeutic nursing measures;

(7) Manage information and resources, contributing to the achievement of optimum client outcomes in a cost effective manner;

(8) Use leadership, management, delegation and collaborative skills as a member of a multidisciplinary team within the health care delivery system to develop, implement, and evaluate health care provided to clients; and

(9) Demonstrate professional accountability by acting as an advocate for clients and by maintaining accepted standards of nursing care for a registered nurse.

(Effective November 29, 1983; amended May 4, 2004)

Practical Nursing Education Program

Sec. 20-90-54.

Repealed, May 4, 2004.

Sec. 20-90-55. Curriculum

(a) The curriculum shall meet the requirements of the parent institution in which the program is housed and state requirements for eligibility of the graduate for admission to the practical nurse licensing examination prescribed pursuant to Section 20-92 of the Connecticut General Statutes.

(b) The curriculum shall integrate theory and clinical practice in a manner that shall cause the Nursing Education Program graduates to meet the educational outcomes for practical nursing described in Section 20-90-56 of the Regulations of Connecticut State Agencies.

(c) The length of the program shall be a minimum of fifteen hundred (1500) hours over no less than ten (10) months. Fifty percent (50%) of contact hours shall be in supervised direct client care experiences and observational experiences appropriate to the Program's Educational Outcomes.

(Effective November 29, 1983; amended May 4, 2004)

Sec. 20-90-56. Educational outcomes

A graduate of a practical nursing education program shall be able to:

(1) Perform the duties and responsibilities of the licensed practical nurse within the framework of the Nurse Practice Act, Chapter 378 of the Connecticut General Statutes;

(2) Apply nursing principles and theories in the implementation of the plan of care for clients under the direction of and in collaboration with the registered nurse by:

(A) collecting data concerning the biologic and psychosocial needs of individual clients along the wellness/illness continuum;

(B) implementing therapeutic nursing measures to maintain, promote, and restore optimum health to clients within the established plan of care;

(C) performing therapeutic nursing interventions based on principles from the biophysical and behavioral sciences, adapting these to the individual needs of clients as members of families and community systems;

(D) using ethical decision making and judgment in providing care;

(3) Assist in evaluating the effectiveness of nursing interventions, using observations and data collection to recommend changes in the plan of care;

(4) Perform appropriate data collection to monitor client status in response to alterations in health, treatment of health problems, and therapeutic nursing interventions;

(5) Recognize and report deviations from expected responses to alterations in health status or in the treatment of health problems;

(6) Intervene appropriately in emergency situations;

(7) Interact effectively with clients, families, and health team members through appropriate verbal, nonverbal, and written communications;

(8) Implement the care of groups of clients, using appropriate principles of priority setting, time management, and delegation;

(9) Utilize resources and the environment of care effectively to meet client needs and attain expected outcomes of care; and

(10) Demonstrate individual accountability by acting as an advocate for health care consumers and by maintaining accepted standards of care for a practical nurse.

(Effective November 29, 1983; amended May 4, 2004)

Licensure

Sec. 20-90-57. Endorsement

(a) Graduate nurses from a nursing education external degree program who are licensed in another state of the United States on the basis of standards which meet or exceed the requirements of this state, shall be eligible for licensure without examination in Connecticut.

(b) Persons seeking endorsement who were graduated from an educational program which is shorter in length than the minimum length for Connecticut educational programs shall provide documentation of clinical work experience. Such work experience, when combined with their educational program, shall equal the minimum program length for nursing education programs approved in Connecticut. Such work experience must be under the supervision of a licensed registered nurse and occur after completion of the basic educational program.

(c) Nurses trained and licensed in Canada prior to 1970 who meet the current educational requirements of Connecticut shall take the licensing examination prescribed pursuant to Section 20-92 of the Connecticut General Statutes.

(d) Nurses trained and licensed in Canada in or after 1970 who meet the current educational requirements of Connecticut may be licensed without examination if their Canadian licensing examination was in English. If their Canadian examination was not in English, then they must demonstrate proficiency in English pursuant to section 20-90-57(e).

(e) Nurses licensed in Canada on the basis of an examination in a language other than English who are seeking licensure by examination in Connecticut must demonstrate proficiency in English on an examination, and at a level, prescribed by the Commissioner with the consent of the Board.

(f) Persons licensed pursuant to section 20-90-57(d) shall have attained a passing score on the Canadian licensing examination prescribed by the Commissioner with the consent of the Board. The prescribed passing score shall be one deemed by the Commissioner to be equivalent to passing scores on comparable licensing examinations used in the United States.

(Effective December 30, 1994)

Sec. 20-90-58. Foreign-trained

Persons educated in nursing in a foreign country must successfully complete the examination offered by the Commission on Graduates of Foreign Nursing Schools

prior to being accepted for examination and licensure as a Registered Nurse in Connecticut.

(Effective December 30, 1994)

Sec. 20-90-59. Out-of-state programs

(a) A program in nursing located in another state or territory of the United States shall be deemed approved pursuant to section 20-90 of the Connecticut General Statutes, provided that:

(1) said program, if a registered nursing education program, complies with the provisions of section 20-90-52 of the regulations of Connecticut State Agencies:

(2) said program is approved by the duly authorized nurse licensure board or agency of the state or territory in which it is located: and

(3) said state or territory maintains licensure requirements substantially similar to or higher than those of this state.

(b) A program in nursing located in another state or terrtory of the United States which provides clinical experience to students in cooperating health care agencies in this state shall comply with the provisions of the regulations of Connecticut State Agencies contained in subdivision (2) of subsection (a) of section 20-90-48 and subsection (b) of section 20-90-48. Faculty providing on-site clinical supervision to students in cooperating health care agencies in this state shall:

(1) maintain an active registered nurse license in this state:

(2) have earned baccalaureate and master's degrees, one of which must be in nursing: and

(3) have clinical experience in their teaching area.

(Effective December 30, 1994)

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Dentists

Secs. 20-104-1—20-104-7.

Repealed, June 16, 1982.

Sec. 20-104-8. Dental offices and laboratories. Sanitation

Dental offices and dental laboratories shall be kept and maintained in a clean and sanitary condition in accordance with local ordinances and the public health code.

Dental Hygienists

Secs. 20-104-9—20-104-11.

Repealed, June 16, 1982.

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Secs. 20-104-12—20-104-15.

Repealed, April 22, 1982.

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Continuing Education Requirements for Annual License Renewal by Dental Hygienists

Sec. 20-111-1. Definitions

For the purpose of these regulations, the following definitions apply.

(a) ''Department'' means the Department of Health Services.

(b) ''Licensee'' means a dental hygienist licensed pursuant to Connecticut General Statutes, Section 20-111.

(c) ''License renewal due date'' means the last day of the month of the licensee's birth.

(d) ''Registration period'' means the one-year period during which a license which has been renewed in accordance with Connecticut General Statutes, Section 19a-88, is current and valid and which one year period terminates on the license renewal due date.

(e) ''Continuing education monitoring period'' means a period beginning in an odd-numbered year and consisting of two consecutive registration periods.

(f) ''Active practice'' means the treatment in Connecticut of one or more patients by a licensee during any given registration period.

(g) ''Provider'' means the individual, organization, educational institution or other entity conductng the continuing education activity. Providers include but are not limited to: educational institutions accredited by the American Dental Association; the American Dental Association and its component organizations; the National Dental Association and its component organizations; the American Dental Hygienists Association and its component organizations; The National Dental Hygienists Association and its component organizations; the Academy of General Dentistry and its component organizations; the American Red Cross and the American Heart Association when sponsoring programs in cardiopulmonary resuscitation or cardiac life support; and the Veterans Administration and Armed Forces when conducting programs at United States governmental facilities.

(h) ''Participant'' means a licensee who completes a continuing education activity.

(i) ''Contact hour'' means a minimum of 50 minutes of continuing education activity.

(j) ''Face-to-face instruction'' means direct, live instruction which a participant physically attends, either individually or as part of a group of participants.

(k) ''Certificate of completion'' means a document issued to a participant by a provider which certifies that said participant has successfully completed a continuing education activity. Such certificate shall include: participant's name; provider's name; title or subject area of the activity; date(s) and location of attendance; and number of contact hours completed.

(Effective August 22, 1988)

Sec. 20-111-2. Number of credits required

(a) Each licensee shall complete a minimum of 16 credit hours of continuing education during each continuing education monitoring period.

(b) A licensee shall not carry over continuing education credit hours to a subsequent continuing education monitoring period.

(Effective August 22, 1988)

Sec. 20-111-3. Criteria for continuing education

Continuing education activities will satisfy the requirements of these regulations, provided:

(1) the activity involves face-to-face instruction;

(2) the provider implements a mechanism to monitor and document physical attendance at such face-to-face instruction;

(3) the provider retains written records for a period of three years including but not limited to: content description; instructor; date(s) of course; location of course; list of participants; and number of contact hours;

(4) the provider implements a mechanism to evaluate participants' attainment of educational objectives and participants' assessment of the educational activity;

(5) the provider issues a certificate of completion; such certificate may not be issued by the provider prior to the licensee's actual completion of the activity;

(6) the activity focuses on content specified in Section 4 of these regulations.

(Effective August 22, 1988)

Sec. 20-111-4. Content areas for continuing education

Subject matter for continuing education will reflect the professional needs of the licensee in order to meet the health care needs of the public. Accordingly, only those continuing education activities which provide significant theoretical or practical content directly related to clinical or scientific aspects of dental hygiene will meet the requirements of these regulations. Activities consisting of the following subject matter will not qualify as continuing education activities: organization and design of a dental office, practice development, marketing, investments or financial management, personnel management, or personal health, growth or development when content is designed for personal use as opposed to patient care or patient instruction.

(Effective August 22, 1988)

Sec. 20-111-5. Award of credit hours

(a) **Continuing education credit hours will be awarded as follows:**

(1) courses, institutes, seminars, programs, clinics, and scientific meetings: 1 credit hour for each contact hour of attendance.

(2) Multiday convention-type meetings at the state, regional, or national level: 2 credit hours for attendance.

(3) Full-time post-graduate enrollment in an advanced educational program accredited by the American Dental Association: 16 credit hours in continuing education monitoring period in which enrolled.

(4) Successful completion of the National Board Dental Hygiene Examination or the North East Regional Board of Dental Examiners Examination in Dental Hygiene, if taken five years or more after graduation from an educational institution teaching dental hygiene which is approved by the dental commission with the consent of the commissioner; 16 credit hours in continuing education monitoring period in which completed.

(5) Original presentation by licensee of a paper, essay, or formal lecture in dental hygiene to a recognized group of fellow professionals at a scientific meeting: 3 credit hours for the first presentation only.

(6) Original scientific paper published by licensee in a scientific professional journal which accepts papers only on the basis of independent review by experts: 6 credit hours for the first publication only.

(7) Original presentation of scientific, educational, or clinical exhibit at a professional meeting: 2 credit hours.

(b) Eight credit hours will be the maximum continuing education credits granted for any one day's participation in the activities specified in Subsection (a), above.

(c) The licensee shall successfully complete a continuing education activity for award of any continuing education credit.

(d) Activities which will not qualify for award of credit hours include professional organizational business meetings; speeches delivered at luncheons or banquets; reading of books, articles, or professional journals; home study courses, correspondence courses, audio-visual materials, and other mechanisms of self-instruction.

(Effective August 22, 1988)

Sec. 20-111-6. Record retention by licensees

(a) Each licensee shall obtain a certificate of completion, for those activities properly completed, from the provider of continuing education activities. Each licensee shall maintain, for continued competency activities specified in Subsection (a) (3) through (a) (7) of Section 5 of these regulations, written documentation of completion. The licensee shall retain certificates of completion and other required documentation for a minimum of two years after the end of the continuing education monitoring period during which the licensee completed the activity.

(b) The Department shall audit such licensee records as it deems necessary. The licensee shall submit certificates of completion and other required documentation to the Department only upon the Department's request. The licensee shall submit such records to the Department within 45 days of the Department's request for an audit. It will not be necessary for the licensee to submit such documentation in order to renew the license.

(c) A licensee who fails to comply with the continuing education requirements of these regulations may be subject to disciplinary action, pursuant to Connecticut General Statutes, Section 20-114.

(Effective August 22, 1988)

Sec. 20-111-7. Exemption from continuing education requirements

(a) A licensee who is not engaged in active practice during a given continuing education monitoring period shall be exempt from continuing education requirements on submission of a notarized application on a form provided by the Department. The application must contain the statement that the licensee shall not engage in active practice until the licensee has shown proof of completion of requirements specified in Section 20-111-8 of these regulations.

(b) A licensee applying for license renewal for the first time shall be exempt from continuing education requirements.

(Effective August 22, 1988)

Sec. 20-111-8. Requirements for return to active practice following exemption from continuing education requirements

A licensee who has been exempt, pursuant to Subsection (a) of Section 20-111-7 of these regulations, shall submit the following documents upon return to active practice:

(a) a notarized application on a form provided by the Department; and

(b) evidence, acceptable to the Department, of:

(1) practice of dental hygiene in another state or territory of the United States, or the District of Columbia, for at least one year immediately preceding the application; or

(2) successful completion of the National Board Dental Hygiene Examination or the North East Regional Board of Dental Examiners Examination in Dental Hygiene during the year immediately preceding the application; or

(3) completion of 8 credit hours of continuing education within six months after returning to active practice, to be applied to the continuing education monitoring period during which the licensee was exempt from such continuing education requirements.

(Effective August 22, 1988)

Sec. 20-111-9. Reinstatement of lapsed licenses

Any licensee whose license has become void and who applies to the Department for reinstatement may apply for licensure under the terms of Sections 19a-14-1 to 19a-14-5, inclusive, of the Regulations of Connecticut State Agencies.

(Effective August 22, 1988)

Sec. 20-111-10. Effective date of continuing education requirements

These requirements will be effective for registration periods commencing on and after January 1, 1989.

(Effective August 22, 1988)

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Administration and Use of Anesthesia and Conscious Sedation in Dentistry

Sec. 20-123b-1. Definitions

(a) ''OMFS'' means an Oral and Maxillofacial Surgeon who has completed a full course in a post-doctoral training program in Oral and Maxillofacial Surgery approved by the American Dental Association Commission on Dental Accreditation.

(b) ''ADA'' means American Dental Association.

(c) ''CSOMS'' means Connecticut Society of Oral and Maxillofacial Surgeons.

(d) ''BCLS'' means a course in Basic Cardiac Life Support approved by the American Red Cross or the American Heart Association.

(e) ''ACLS'' means a course in Advanced Cardiac Life Support approved by the American Red Cross or the American Heart Association.

(f) ''Commissioner'' means Commissioner of Public Health or his designee.

(g) ''On-Site Evaluation Team'' means those individuals designated by the Commissioner to determine compliance with Section 20-123b-6 of the Regulations of Connecticut State Agencies.

(h) ''Practitioner'' means a person licensed to practice dentistry pursuant to Chapter 379 of the Connecticut General Statutes who is applying for a permit or being evaluated pursuant to Sections 20-123b-1 through 20-123b-9, inclusive, of the Regulations of Connecticut State Agencies.

(i) ''Anesthesia Assistant'' means a chairside assistant or a dentist licensed pursuant to Chapter 379 of the Connecticut General Statutes whose sole responsibility is to monitor the patient undergoing general anesthesia.

(j) ''Calendar Quarter'' means a period of three consecutive months beginning on January 1, April 1, July 1, or October 1.

(k) ''Department'' means the Connecticut Department of Public Health.

(Effective January 27, 1994; amended November 4, 2004)

Sec. 20-123b-2. Permit application procedures

(a) A practitioner may apply to the Commissioner for one of the following:

(1) Permit for the Administration of General Anesthesia and Conscious Sedation; or

(2) Permit for the Administration of Parenteral Conscious Sedation.

(b) An applicant shall, at the time of application, submit such documentation of credentials as the Commissioner may require. The application and related documents shall be reviewed by the Commissioner or his designee. The Commissioner or his designee may, as necessary, consult with the Dental Commission concerning documentation of applicant credentials.

(Effective February 1, 1988)

Sec. 20-123b-3. Qualifications for general anesthesia and conscious sedation permit

An applicant for a General Anesthesia and Conscious Sedation permit shall:

(a) Successfully complete one of the following:

(1) a full course in a post-doctoral training program in Oral and Maxillofacial Surgery, approved by the ADA Commission on Dental Accreditation, or

(2) a minimum of one-year full-time training in post-doctoral program in Anesthesiology, structured in accordance with Part Two of the ADA Council on Dental Education ''Guidelines for Teaching the Comprehensive Control of Pain and Anxiety in Dentistry,'' or

(3) Certification as a diplomate of the American board of oral and maxillofacial surgery, provided the individual holding such certification graduated from dental school or a post-doctoral dental residency training program no later than 1966, or

(4) Designation of practice as limited to oral and maxillofacial surgery, in accordance with Section 20-106a of the Connecticut General Statutes, for a period of at least ten years prior to application for a general anesthesia and conscious sedation permit; and

(b) Demonstrate current certification in ACLS; and

(c) Successfully complete an on-site evaluation pursuant to Section 20-123b-6 of the Regulations of Connecticut State Agencies.

(Effective March 23, 1988; amended November 4, 2004)

Sec. 20-123b-4. Qualifications for conscious sedation permit. An applicant for a conscious sedation permit shall:

(a) Comply with one of the following:

(1) document by patient anesthesia or sedation records the completion of a minimum of twelve parenterally administered conscious sedation procedures per year performed in the office, for each of the three one-year periods immediately preceding the date of application; and submit certification of completion of a minimum of twenty-four hours of continuing education in one of the following areas within the three year period immediately preceding the issuance of the permit; anesthesia, parenterally administered conscious sedation, or emergency medicine; or

(2) graduate from a dental school or post-doctoral dental residency program accredited by the ADA Commission on Dental Accreditation within two years prior to applying for the permit, which included either a minimum of four weeks active participation in full-time rotation in hospital operating room anesthesia, or ten documented clinical cases utilizing parenterally administered conscious sedation in the dental operatory; and which included a didactic course in conscious sedation in dentistry with a curriculum that fulfills the minimum requirements set forth in the ADA Council on Dental Education, ''Guidelines or Teaching the Comprehensive Control of Pain and Anxiety in Dentistry''; or

(3) complete an ''Intensive Course'' or a ''Supplemental (or Refresher) Course'' (as applies) in a post-doctoral continuing education program, structured in accordance with Part Three of the ADA Council on Dental Education ''Guidelines for Teaching the Comprehensive Control of Pain and Anxiety''; or

(4) satisfy the requirements of subsection (a) of Section 20-123b-3 of these regulations; and

(b) demonstrate current certification in ACLS; and

(c) successfully complete an on-site evaluation pursuant to Section 20-123b-6 of the Regulations of Connecticut State Agencies.

(Effective March 23, 1988; amended November 4, 2004)

Sec. 20-123b-5. The evaluation team

The on-site evaluation team shall include, but not be limited to, the following:

(a) Two members recommended to the Commissioner by the Chairperson of the Anesthesia Committee of the CSOMS who have fulfilled the requirements of the CSOMS to be an office anesthesia evaluator; or

(b) one member who has fulfilled the requirements of the CSOMS to be an office anesthesia evaluator, and one member who is a fellow of the American Dental Society of Anesthesiology, both of whom shall be recommended to the Commissioner by the Chairperson of the Anesthesia Committee of the CSOMS.

(Effective February 1, 1988; amended November 4, 2004)

Sec. 20-123b-6. Site evaluation

(a) In the case of a practitioner applying for the initial issuance of a permit, or the reinstatement of a lapsed permit, the on-site evaluation team shall observe the general anesthesia or parenteral conscious sedation technique (as appropriate) employed by the practitioner during a minimum of two operative cases, with the total time for both cases not to exceed two hours.

(b) During the on-site evaluation, an exact simulation of the method of management of medical emergencies shall be demonstrated by the practitioner with full participation of the office staff, and may include, but not be limited to, the management of: laryngospasm, bronchospasm, emesis, aspiration of vomitus, foreign body in airway, angina pectoris, acute myocardial infarction, acute hypotensive and hypertensive crises, cardiopulmonary resuscitation, acute allergic reactions, hyperventilation syndrome, syncope, and convulsions of unknown etiology.

(c) The on-site evaluation team shall review the practitioner's office equipment, emergency drugs and anesthesia records to determine full compliance with the requirements established in Section 20-123b-9 of the Regulations of Connecticut State Agencies.

(d) An exit interview between the practitioner and the evaluation team shall be conducted to review deficiencies and make positive suggestions for improving the office facility and patient emergency management.

(e) The on-site evaluation team shall verify that the practitioner is currently certified in BCLS and ACLS and that the practitioner's entire staff is currently certified in BCLS.

(Effective January 27, 1994; amended November 4, 2004)

Sec. 20-123b-7. Failure to successfully complete the site evaluation

(a) A practitioner who, in the opinion of the on-site evaluation team, fails to satisfactorily complete the requirement of subsection (a) of Section 20-123b-6 of the Regulations of Connecticut State Agencies shall be denied a permit and may reapply to be re-evaluated only after documenting the completion of a Continuing Education Course in ambulatory general anesthesia or parenteral conscious sedation (as appropriate) approved by the Commissioner in consultation with the on-site evaluation team.

(b) A practitioner who, in the opinion of the on-site evaluation team, fails to satisfactorily complete the requirements of subsection (b) of Section 20-123b-6 of the Regulations of Connecticut State Agencies shall be denied a permit and may reapply to be re-evaluated only after documenting the completion of a Continuing Education Course in the management of medical emergencies in the dental office approved by the Commissioner in consultation with the on-site evaluation team.

(c) A practitioner who, in the opinion of the on-site evaluation team, fails to satisfactorily complete the requirements of subsection (c) of Section 20-123b-6 of the Regulations of Connecticut State Agencies shall be denied a permit and may reapply to be re-evaluated.

(d) If any member of the on-site evaluation team has reason to believe that the practitioner being evaluated is unfit or incompetent or has been guilty of cruelty, incompetence, negligence or indecent conduct towards a patient, such member shall file a petition with the Department of Public Health pursuant to Section 19a-14 of the Connecticut General Statutes.

(Effective January 27, 1994; amended November 4, 2004)

Sec. 20-123b-8. Frequency of inspection

(a) Following initial issuance of the permit, the on-site evaluation specified in Section 20-123b-6 of the Regulations of Connecticut State Agencies shall be completed for each practitioner issued a permit pursuant to Sections 20-123b-1 through 20-123b-9 of the Regulations of Connecticut State Agencies in accordance with the following schedule:

(1) For each practitioner first issued a permit on or before December 31, 1989, the on-site evaluation shall be completed not later than December 31, 1995. Thereafter, the on-site evaluation shall be completed for each such practitioner not later than five years from the last day of the calendar quarter in which last evaluated.

(2) For each practitioner first issued a permit on or after January 1, 1990, the on-site evaluation shall be completed not later than five years from the last day of the calendar quarter in which last evaluated.

(b) A practitioner may request to schedule the on-site evaluation at a time earlier than specified in subsection (a) of this Section. However, in no event shall such alternative scheduling result in an interval longer than five years to the next on-site evaluation.

(Effective January 27, 1994)

Sec. 20-123b-9. Office equipment, emergency drugs, and anesthesia records

(a) Except as specifically noted, all practitioners who are being evaluated pursuant to Sections 20-123b-1 through 20-123b-9, inclusive, of the Regulations of Connecticut State Agencies, or who have been issued a permit pursuant to Section 20-123b of the Connecticut General Statutes, shall demonstrate and maintain the following office equipment in any and all offices where they administer general anesthesia or conscious sedation:

(1) Portable gas delivery system capable of positive pressure ventilation;

(2) Equipment capable of administering 100% oxygen in all rooms (operatory, recovery, examination, and reception);

(3) Portable bag-mask ventilator (ambu-bag);

(4) Full face mask:

(A) adult; and

(B) pediatric;

(5) Nasal hood or cannula;

(6) Oral airways (oropharyngeal airways):

(A) adult; and

(B) pediatric;

(7) Nasopharyngeal airways:

(A) adult; and

(B) pediatric;

(8) Endotracheal tubes with appropriate connectors and syringe for inflation, as follows: (not required for conscious sedation permit)

(A) adult endotracheal tubes;

(B) child endotracheal tubes;

(C) connectors;

(D) syringe; and

(E) stylet (pediatric and adult);

(9) Laryngoscope (straight or curved blade), as follows: (not required for conscious sedation permit)

(A) adult blade;

(B) pediatric blade;
(C) extra batteries; and
(D) extra bulb (or blade if fiberoptic blade);
(10) Combi tube (not required for general anesthesia permit);
(11) Portable suctioning equipment capable of use during electrical power failure;
(12) Equipment capable of suctioning the throat in all rooms;
(13) Nasopharyngeal suction catheter, for pulmonary lavage via endotracheal tube (not required for conscious sedation permit);
(14) Yankauer or similar suction;
(15) McGill forceps;
(16) Tongue grasping forceps;
(17) Equipment for emergency crico-thyrotomy or tracheotomy and the appropriate connectors for administering 100% oxygen;
(18) Blood pressure cuffs:
(A) adult; and
(B) pediatric;
(19) ECG;
(20) Defibrillator;
(21) Board or rigid surface for cardiopulmonary resuscitation (CPR);
(22) Light source capable of use during electrical power failure;
(23) Intravenous solutions and equipment for administration:
(A) 250 cc bags & 1000 cc bags of sterile saline; and
(B) Sterile water for mixing or dilution of drugs; and
(24) Appropriate intravenous needles, tubing and drips.

(b) Except as specifically noted, all practitioners who are being evaluated pursuant to sections 20-123b-1 to 20-123b-9, inclusive, of the Regulations of Connecticut State Agencies, or who have been issued a permit pursuant to Section 20-123b of the Connecticut General Statutes, shall demonstrate and maintain the following equipment and personnel for continuous monitoring during the administration of anesthesia in any and all offices where they administer general anesthesia or conscious sedation:

(1) Equipment and personnel for continuous monitoring during the administration of deep sedation or general anesthesia:
(A) means of monitoring heart rate:
(i) ECG;
(ii) pulsemeter;
(iii) pretracheal or precordial stethoscope; or
(iv) direct palpation of pulse;
(B) means of following respirations and level of oxygenation:
(i) pretracheal or precordial stethoscope, or capnography; and
(ii) pulse oximeter;
(C) means of monitoring blood pressure for child and adult.

(2) Equipment and personnel for continuous monitoring during the administration of conscious sedation:
(A) means of monitoring heart rate:
(i) ECG;
(ii) pulsemeter;
(iii) pretracheal or precordial stethoscope; or
(iv) direct palpation of pulse;
(B) means of following respirations and level of oxygenation:

(i) pretracheal or precordial stethoscope, capnography or direct observation of chest; and

(ii) pulse oximeter;

(C) means of monitoring blood pressure for child and adult.

(c) All practitioners who are being evaluated pursuant to Sections 20-123b-1 through 20-123b-9, inclusive, of the Regulations of Connecticut State Agencies, or who have been issued a permit pursuant to Section 20-123b of the Connecticut General Statutes, shall maintain the following emergency drugs in any and all offices where they administer general anesthesia or conscious sedation:

(1) anticonvulsant drugs:

(A) midazolam; or

(B) diazepam;

(2) antiemetic:

(A) droperidol;

(B) odansetron;

(C) prochlorperazine;

(D) promethazine; or

(E) metoclopramide;

(3) beta agonist: albuterol inhaler;

(4) cardiovascular medications:

(A) antiarrhythmics:

(i) lidocaine or amiodarone;

(ii) procainamide; and

(iii) diltiazem;

(B) atropine (either 0.4 mg/ml or 1.0 mg/ml);

(C) aspirin 160 or 325 mg dose;

(D) beta blocker:

(i) esmolol;

(ii) propranolol;

(iii) atenolol; or

(iv) metoprolol;

(E) epinephrine 1 mg:

(i) 1:1,000 solution; and

(ii) 1:10,000 solution;

(F) diuretic: furosemide 10mg/ml;

(G) nitroglycerin (tablet or spray);

(H) vasodilators:

(i) labetalol; and

(ii) hydrazaline or diazoxide;

(I) vasopressors:

(i) ephedrine; and

(ii) phenylephrine;

(J) corticosteroids:

(i) dexamethasone;

(ii) hydrocortisone sodium succinate; or

(iii) methylprednisolone sodium succinate;

(K) dantrolene (must be in facility for offices in which agents causing malignant hypothermia are used);

(L) dextrose 50%;

(M) diphenhydramine;

(N) reversal agents:
(i) naloxone; and
(ii) flumazenil;
(O) opioid: morphine;
(P) procaine 10 mg/ml; and
(Q) succinylcholine.

(d) All practitioners who are being evaluated pursuant to Sections 20-123b-1 through 20-123b-9, inclusive, of the Regulations of Connecticut State Agencies, or who have been issued a permit pursuant to Section 20-123b of the Connecticut General Statutes, shall maintain anesthesia or conscious sedation records which include the date of procedure, nothing by mouth (NPO) status, availability of responsible adult escort, allergies, vital signs, drugs, and doses administered.

(Effective January 27, 1994; amended November 4, 2004)

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State Board of Examiners in Optometry

Secs. 20-128-1—20-128-5.

Repealed, June 16, 1982.

Sec. 20-128-6. Patient records

In the practice of his profession each licensed optometrist shall keep an adequate chart or record on file for each patient examined by him. He shall make a complete minimum examination and shall keep a record from actual tests made on each patient, which record shall show the following minimum conditions:

(1) Complete history and symptoms;
(2) habitual visual acuities;
(3) external examination, including motility tests;
(4) ophthalmoscopic examination recording description of all media and grounds, nervehead and vascular tree;
(5) phoria tests vertical and horizontal for near and far;
(6) tests for fusion near and far;
(7) keratometer (ophthalmometer) readings;
(8) refraction obtained retinoscopically;
(9) refraction obtained subjectively including tests for astigmatism and axis;
(10) amplitudes of accommodation, convergence and divergence;
(11) disposition of case and prescription with corrected visual acuities right eye, left eye, both eyes, including facial measurements.

Sec. 20-128-7.

Repealed, June 16, 1982.

Sec. 20-128-8. Continuing education requirements for annual license renewal

(a) Every optometrist actively engaged in the practice of optometry in the State of Connecticut, shall submit satisfactory proof that he has attended, during the twelve month period immediately preceding the date of registration, at least eight clock hours of post graduate study, (each year) as a prerequisite for the renewal of his license. The board shall designate the courses of study which will be recognized and the method of certifying satisfactory completion of said course to the state board. In no instance shall the board require a greater number of hours of study than are available within the State of Connecticut within a twelve month period, although recognized courses of study given outside the state are also acceptable.

(b) Those optometrists who because of illness or other extraordinary situations are unable to comply with regulation, may make application to the state board, and the board, in its discretion, may relieve the applicant from complying for such time and under such circumstances as the board deems proper.

(c) The board will, from time to time, (at least once every two years) issue and/or revise the designated courses of study which it recognizes as acceptable. Any request for board approval of a specific educational program for recognition by the board, must be submitted in a timely manner with due regard for the necessity of investigation and consideration by the board.

(d) Evidence of completion of acceptable course is the responsibility of the optometrist. A signed certificate by the person or institution responsible for the course will be required as evidence of course completion.

Failure to comply with the above regulation by January 1st of each year, will be considered by the board a reason for nonrenewal of license.

(Effective December 19, 1975)

Secs. 20-128-9—20-128-16.

Repealed, April 22, 1982.

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Commission of Opticians

Sec. 20-141-1. Experience in the producing and mounting of ophthalmic lenses

Experience in producing and mounting ophthalmic glasses is a combination of education and skill in both mechanical functions and technical knowledge. Thus, such experience refers to theoretical knowledge, education and practical training, skill and proficiency in all functions related to the required mechanical and technical knowledge pertaining to the producing and reproducing of ophthalmic lenses and kindred products to given formulas. The producing and mounting of ophthalmic glasses is defined as the operations of grinding, fining, polishing, truing, molding, casting or other surfacing processes, as well as the operations of edging, cutting, forming, shaping, positioning, fastening and molding or other mounting processes.

Sec. 20-141-2. Experience in the fitting of ophthalmic lenses to the eyes by mechanical manipulation

Experience in the fitting of ophthalmic lenses by mechanical manipulation, molding technique or other related functions is a combination of education and skill in both the mechanical functions and technical knowledge. Thus, such experience refers to theoretical knowledge, education and practical training, skill and proficiency in all functions related to the required mechanical and technical knowledge pertaining to the theory and practice of fitting, adapting and designing of optical glasses from given formulas or kindred products directly to the ultimate wearer by mechanical manipulation, molding techniques or other related functions. The fitting, adapting and designing or ophthalmic glasses is defined as comprising the techniques and art of forming, shaping, bending, adjusting and molding or other fitting processes as they may be required and the scientific and technical interpretation of ophthalmic prescriptions into a correctly constructed therapeutic device as an optician's personal function of dispensing optical glasses directly to the person of the ultimate wearer; as well as the measuring, fitting and adapting of prostheses and the molding, casting or fitting of contact lenses.

Sec. 20-141-3.

Repealed, June 16, 1982.

Sec. 20-141-4. Equipment for opticians

In order to protect the public health and safety, each applicant being issued an optical license shall have in his place of business and at his disposal the following equipment in order to complete the requirements for such license: (1) A complete set of neutralizing lenses or mechanical instrument for the measurement of focus power, in which case such instrument should bear a maximum tolerance of accuracy of .06; (2) lens-centering device; (3) lens measure; (4) thickness caliper; (5) equipment for accurately measuring pupillary distance.

Sec. 20-141-5.

Repealed, June 16, 1982.

Sec. 20-141-6. Defining optical glasses and eyeglasses

Optical glasses to aid vision are the means for correcting eyesight defects when own as complete glasses, or when adapted to the ultimate wearer or consumer, of which the component parts, i.e. lenses and supporting materials, are produced or reproduced to individual specific formulas; and which given formulas include the

Rx for foci, lens power, the specifications or mold for the form, size, shape and structure of the lens and/or of the supporting material and indications for the proper placement for fitting to the eyes and for their fitted application, such as the centers, the plane and the angle. Such optical glasses are referred to as optical glasses from given formulas, ophthalmic glasses or instruments from given formulas and eye glasses.

Sec. 20-141-7. Defining kindred products and optical merchandise

Kindred products of optical glasses generally are complete eyeglasses principally worn as an aid to vision and sold as optical stock-in-trade articles of merchandise, i.e., plano safety glasses, plano welding goggles and similar optical goods which are largely produced by grinding optical glass or substitutes therefor for the optical control of light or protection without causing light deviation and in so doing conform only to general formulas instead of given formulas and which may be utilized by any rather than specific individuals.

(Effective June 16, 1982)

Sec. 20-141-8. Defining optical instruments to aid vision

''Other instruments to aid vision'' are optical glasses and ophthalmic instruments as aids to vision, which are lenses, therapeutic devices or other appliances from given formulas intended to be used for the aid and correction of visual or ocular anomalies of the eye; and include optical systems of lenses or combination of lenses assembled into a supporting structure which, when viewed through, are aids to vision, and which are sold as optical stock-in-trade articles of merchandise, i.e., magnifiers, readers, microscopes, field glasses, binoculars, telescopes, transits or articles of similar type which are largely produced by optically grinding glass to form ulas based upon the laws of optics.

Sec. 20-141-9.

Repealed, June 16, 1982.

Sec. 20-141-10. Contact lenses—definition

The sale of contact lenses in the state of Connecticut is an inclusion under the provision that optical glasses, instruments and kindred products to aid vision may be sold only by licensed opticians in licensed optical establish ments. Contact lenses are tiny, thin oval shaped lenses about the size of a five-cent piece, made of glass or smooth nonirritating plastic. They may be ground to any power to correct any eye defect and are worn under the eyelids.

Sec. 20-141-10a. Contact lenses—sale and fitting

The sale of contact lenses in the state of Connecticut is included under the provision that optical glasses, instruments and kindred products to aid vision may be sold by licensed opticians in licensed optical establishments.

Contact lenses may be fitted by licensed opticians in licensed optical establishments upon prescriptions for contact lenses prescribed by licensed physicians or surgeons or licensed optometrists or in any other location under the direction of a licensed physician or surgeon. This regulation does not apply to physicians or surgeons or certified optometrists exempt under section 20-162 of the general statutes.

(Effective April 6, 1971)

Sec. 20-141-11. Optical license permits

Any establishment under the personal and direct supervision of a licensed optician may be granted permission to sell at retail, dispense or supply to the ultimate wearer prescription glasses and optical instruments from given formulas which are optical aids to vision, instruments, eyeglasses, spectacles, other kindred products and reproduction of the same; to fit, adapt, adjust or bend frames by mechanical manipulations, molding techniques or other related functions, either with or without lenses, to the individual wearer whether the glasses are from prescription or under repair; to use the term ''optician'' or any synonym; to sell at retail optical goods as merchandise. Any establishment whose optical shop, laboratory, department or processing operations are under the personal and direct supervision of a licensed optician may be granted permission to make, process, produce and reproduce optical prescription glasses and optical instruments from given formulas which are optical aids to vision, instruments, appliances, eyeglasses, spectacles and other kindred products, to mount the same to supporting materials and to perform other related processes of compounding, fabricating or molding.

Sec. 20-141-12. Optical license selling permit

(a) Any licensed optician or any optical department in any optical establishment, office, department or store conducted under the personal and direct supervision of a licensed optician shall file an application of facts to qualify for an optical license selling permit when requesting permission to sell, dispense or supply to the ultimate wearer optical aids to vision, instruments, eyeglasses, spectacles and other kindred products. Application shall be made annually on forms issued by the commission and shall be sworn to before a proper person authorized to take oaths. All information given the commission of opticians by the applicant shall be considered representative of fact. Such application shall be forwarded to the commission of opticians, together with the required fee.

(b) Any applicant qualifying for the optical license selling permit shall be issued an annual certificate which shall be valid at the one and only address named therein and shall expire on the first day of September of each year. Such permit shall record specified optical goods and enumeratee names of all employed licensed opticians, assistant licensed opticians, mechanical opticians, assistant mechanical opticians and apprentices.

(c) The optical license selling permit shall be prominently displayed in the establishment and at the department where ophthalmic glasses and optical goods are sold, dispensed or supplied or distributed to the public. Each optical establishment, office, store or department, as defined in section 20-141-11, shall require a separate optical license selling permit at each location at which ophthalmic glasses are sold, dispensed, supplied or distributed to the public.

Secs. 20-141-13—20-141-16.

Repealed, June 16, 1982.

Sec. 20-141-17. Dispensing, supplying and distributing to the public

To ''dispense or supply'' is to prepare, make or furnish as well as to distribute to the public optical glasses or ophthalmic instruments as aids to vision to the ultimate wearer of consumer, or any kindred products of optical glasses, whether or not the act of such dispensing or supplying or distribution is construed as technically involving a sale.

(See G.S. § 20-153.)

Sec. 20-141-18. Disassociation of licensed optician from establishment

Immediately upon disassociation or severance of the recorded licensed optician in charge from any establishment for which an optical license permit has been granted, the optical license permit is terminated. A new optical license permit shall be applied for.

Sec. 20-141-19. Establishment, office, department, store, shop or laboratory

Each individual retail or service unit located at a recorded address is a separate establishment requiring a separate permit; and this is true although such a store or unit is part of an interstate or intrastate chain.

Sec. 20-141-20. Licensed optician responsible for all establishments for which he is granted an optical license permit

Every licensed optician is required to have an optical license permit for the declared establishment, location or premises where he proposes to act as such licensed optician. A licensed optician is responsible for any optical department, firm or establishment of which he is in charge, being deemed to be in charge of the same only when he is the owner or manager or equal in authority with another similarly licensed optician, and from which he receives his complete or major means of livelihood and to which he gives the major part of his time. Such an optical license permit shall be issued for more than one such optical establishment or location if such licensed optician assumes supervision of other locations or establishments; but in all instances such permits shall include the name of the responsible licensed optician in charge and under whose supervision such establishment or location is being operated, and shall be subject to the provision that such licensed optician transfer such individual license to the location or establishment at which he is functioning and that he is personally responsible for all acts or omissions (by himself or by others under such location) pertaining to the opticians' law and its regulations, under which such establishment or location holds itself open as an optical establishment or department. Both the license of the licensed optician and the optical license permit shall at all times be conspicuously displayed in the place in which such licensed optician practices as an optician.

Sec. 20-141-21. Standards applying to sun glasses, etc.

(1) Sun glasses, goggles, plano safety glasses and plano welding goggles are optical lenses; spectacles, eyeglasses, optical appliances or other kindred products are optical glasses to aid vision and (2) in the interest of public health and safety such optical products shall be in accordance with standards for quality, the specifications for which shall govern the glass or other material used for glasses in order that they shall not produce distortion in excess of the allowable tolerances, the required degree of tranparency for the transmission of light and the certification that such standard has been complied with.

Sec. 20-141-22. Standard of quality for sun glasses and goggles sold at retail

(a) All sun glasses and goggles sold at retail in the state of Connecticut shall meet the following standard and shall bear certification by the manufacturer, wholesaler or distributor. The sun glasses and goggles regulated by this standard are optical glasses or kindred products or other instruments to aid vision by the control of light other than prescription lenses, visors and eye shades. These specifications for the Connecticut sun glass standard apply to any material, whether ground and polished,

blown, drawn or dropped, or whether curved or flat, and do not restrict the price of the merchandise sold nor its make or type of manufacture.

(b) (1) The lenses shall be of a quality suitable for optical products, i.e., free from striae, bubbles, seeds or other defects visible to the unaided eye. Both optical surfaces of the lenses shall be well polished and free from visible surface defects, such as scratches, waves and grayness. (2) Surfaces of lenses shall be essentially parallel or of compensated curvatures; prismatic effect shall not exceed one-eighth prism diopter. (3) Lenses shall be essentially without focal power; there shall not be more than one-sixteenth diopter of power in any meridian. The difference in power between any two meridians shall not exceed one-sixteenth diopter. (4) Lenses shall be substantially matched in color and density.

(c) Lenses shall be treated for prismatic effect and focal power by any recognized optical method which provides the degree of accuracy indicated by these specifications.

(d) Sun glasses and goggles sold at retail in the state of Connecticut shall bear a self-certifying label, securely attached directly to the article, certifying that the quality conforms to all requirements and tests of the Connecticut sun glass standard, which certification shall bear the certifier's name or identification mark registered with the commission of opticians. The commission of opticians will permit manufacturers, wholesalers or distributors ot certify to the above, provided the labels shall bear either of the following printed inscriptions: (1) ''Certified by (manufacturer's, wholesaler's or distributor's identification) Conn. S.G. Standard-40.'' (2) ''Certified (manufacturer's, wholesaler's or distributor's identification) Nat'l. Std. CS78-39 Ground and Polished.'' The commission of opticians will permit the holders or optical license selling permits or optical license processing permits to certify to the above, provided the labels shall bear the following inscription: ''Certified by (OLsP number or OLpP number) Conn. S.G. Standard-40.''

(Effective April 7, 1964)

Secs. 20-141-23—20-141-24.

Repealed, June 16, 1982.

Sec. 20-141-25. Periods of apprenticeship

(a) The computation of any period of apprenticeship as an optical apprentice shall commence at the date of registration, provided such apprentice is employed in the state of Connecticut and in an establishment which has a licensed optical department which is capable of giving, and where the opportunity is available for such apprentice to obtain, practical experience, skill and optical knowledge as required and, further, is under the supervision of a licensed optician or a mechanical optician.

(b) Any person who registers with the commission as is required by law for the purpose of producing or reproducing ophthalmic lenses and similar products or mounting the same to supporting materials or fitting the same by mechanical manipulations, molding techniques or other related functions and is employed in an establisment which does not comply with the conditions set forth in subsection (a) shall be recorded but shall not have such period accredited as time spent to qualify for examination except after satisfactory proof has been furnished the commission that such service is satisfactory, in which circumstances partial credit may commence at the date of registration as hereinafter set forth.

(c) Any person, upon application, may be registered by the commission as an optical apprentice even though the place of employment has only a partial opportunity

available for an apprentice to obtain practical experience, skill and optical knowledge required in order to qualify for examination. Under this condition a limited apprenticeship will result and such registered apprentice may obtain a part of the credit required by acquiring experience, skill and optical knowledge in surfacing, edging, benchwork or fitting and adjusting, either separately or in combinations, which, however, will not be all of the functions of producing and reproducing optical prescription glasses, mounting the same to supporting materials and fitting and adjusting the same to the ultimate wearer. Such a limited apprenticeship would require a subsequent application in order to register for such further opportunity as was not previously available in order to complete the required credit to qualify for examination.

(See G.S. § 20-159.)

Secs. 20-141-26—20-141-29.

Repealed, June 16, 1982.

Sec. 20-141-30.

Repealed, October 22, 1968

Sec. 20-141-31. Exemption of certified optometrists

The exemption for optometrists is personal only to such certified optometrists as individuals, and such exemption does not extend to any other person, firm, corporation or any other kind of an establishment with which such certified optometrists may be associated.

(Last sentence deleted by House Joint Resolution No. 179, adopted by House of Representatives June 4, 1963, and by Senate June 5, 1963.)

(See G.S. §§ 20-137, 20-162.)

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Continuing Education for Opticians

Sec. 20-146(c)-1. Definitions

For the purposes of sections 20-146(c)-1 to 20-146(c)-7, inclusive, of the Regulations of Connecticut State Agencies:

(1) ''Department'' means the Department of Public Health.

(2) ''Licensee'' means an optician licensed pursuant to Section 20-146 of the Connecticut General Statutes.

(3) ''License renewal due date'' means the last day of the month of the licensee's date of birth.

(4) ''Registration period'' means the one-year period during which a license has been renewed in accordance with Section 19a-88 of the Connecticut General Statutes and is current and valid.

(5) ''Provider'' means the individual educator or sponsor conducting a continuing education activity.

(6) ''Participant'' means a licensee who successfully completes a continuing education activity.

(7) ''Contact hour'' means a minimum of fifty minutes of continuing education activity.

(8) ''Certificate of completion'' means a document issued to a participant by a provider which certifies that the participant has successfully completed a continuing education activity.

(9) ''Active Practice'' means the treatment in Connecticut of one or more patients by a licensee during any given registration period.

(Effective October 30, 1998)

Sec. 20-146(c)-2. Number of credits required

(a) Each licensee applying for license renewal shall have completed a minimum of seven contact hours of qualifying continuing education for opticians during the preceding registration period.

(b) Continuing education contact hours completed in one registration period shall not carry over to a subsequent registration period.

(c) Successful completion of an entire continuing education activity shall be required for award of any continuing education contact hours.

(Effective October 30, 1998)

Sec. 20-146(c)-3. Basic requirements for qualifying continuing education activities

(a) Continuing education activities shall meet the following requirements:

(1) Providers are approved by the American Board of Opticianry, the National Contact Lens Examiners or other nationally recognized organization approved by the department after consultation with the Connecticut Board of Examiners for Opticians.

(2) the activity involves face-to-face didactic instruction.

(3) the provider implements a mechanism to monitor and document physical attendance at such instruction.

(4) the provider retains written records for a period of three years from the participant's actual successful completion of the activity, including but not limited to: content description; instructor; date of activity; location of activity; list of participants; participant's evaluation of instruction presented; and number of contact hours.

(5) the provider issues a certificate of completion after the participant's successful completion of the activity. Such certificate shall include the participant's name,

provider's name, title or subject area of the activity, date and location of attendance, and number of contact hours completed.

(b) Activities which do not qualify for award of contact hours include: professional organizational business meetings; speeches delivered at luncheons or banquets; reading of books, articles, or professional journals; home study courses, correspondence courses, and other mechanisms of self instruction; and audio-visual materials, except when the latter is used as a component of a qualifying continuing education activity identified in subsection (a) of this section.

(Effective October 30, 1998)

Sec. 20-146(c)-4. Content areas for qualifying continuing education activities

(a) Subject matter for qualifying continued education activities shall reflect the scope of practice authorized under Chapter 381 of the Connecticut General Statutes. Only those continued education activities which provide significant theoretical or practical content directly related to the clinical practice of opticianry shall qualify to meet the requirements of sections 20-146(c)-2 to 20-146(c)-4, inclusive, of the Regulations of Connecticut State Agencies.

(b) Continued education activity that provides content related to organization and design of optical stores, practice development, business management or marketing, investments or financial management, personnel management, personal health or development, and similar topics of professional concern, shall be limited to not more than one contact hour in contact lens nor one contact hour in eyewear in any one registration period.

(Effective October 30, 1998)

Sec. 20-146(c)-5. Record retention by licensees

(a) Each licensee shall obtain a certificate of completion from the provider of continuing education activities successfully completed. Each licensee shall maintain, for continuing education activities specified in subsection 20-146(c)-4(a) of these regulations, written documentation of completion. Certificates of completion shall be retained by the licensee for a minimum of three years following the license renewal due date for which the activity satisfies license renewal requirements.

(b) The department may inspect such licensee records as it deems necessary. Certificates of completion shall be submitted by the licensee to the department only upon the department's request. Such records shall be submitted to the department by the licensee within 45 days of the department's request.

(c) A licensee who fails to comply with the continuing education requirements of these regulations may be subject to disciplinary action, pursuant to section 20-154 of the Connecticut General Statutes.

(Effective October 30, 1998)

Sec. 20-146(c)-6. Exemptions from and waiver of the continuing education requirements

(a) A licensee applying for license renewal for the first time in Connecticut shall be exempt from continuing education requirements.

(b) A licensee who is not engaged in active practice during a given continuing education registration period shall be exempt from continuing education requirements on submission, prior to the expiration of the continuing education registration period, of a notarized application on a form provided by the department. The application shall contain the statement that the licensee shall not engage in active practice until the licensee has shown proof of completion of requirements specified

in sections 20-146(c)-2 to 20-146(c)-4, inclusive, of the Regulations of Connecticut State Agencies.

(Effective October 30, 1998)

Sec. 20-146(c)-7. Requirements for return to active practice following exemption from continuing education requirements

(a) A licensee who has been exempt, pursuant to subsection (b) of section 20-146(c)-6 of the Regulations of Connecticut State Agencies, shall submit to the department evidence of successful completion of seven contact hours of continuing education within six months after returning to active practice.

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Psychology Licensing Requirements

Sec. 20-188-1. Definitions

(a) ''Accreditation by the American Psychological Association'' shall mean that:

(1) the program held provisional accreditation status or full accreditation status throughout the period of the applicant's enrollment, provided said provisional status subsequently progressed without interruption to full accreditation; or

(2) the program held probationary accreditation status during the applicant's enrollment and, upon termination of said probationary status, subsequently achieved full accreditation.

(b) ''Recognized regional accrediting body'' shall mean one of the following accrediting bodies: New England Association of Schools and Colleges; Middle States Commission on Higher Education; North Central Association of Colleges and Schools; Northwest Commission on Colleges and Universities; Southern Association of Colleges and Schools; and Western Association of Schools and Colleges.

(c) ''Accreditation by a recognized regional accrediting body'' shall mean that: (1) the institution held accreditation status or candidacy for accreditation throughout the period of the applicant's enrollment, provided said candidacy status subsequently progressed without interruption to full accreditation; or (2) the institution held accreditation status under probation or show-cause order during the applicant's enrollment and, upon termination of said probation or show-cause order, accreditation status was maintained without interruption.

(d) ''Acceptable documentation'' shall mean published institutional documents contemporaneous with the applicant's enrollment. In the absence of such published documents, ''acceptable documentation'' may be satisfied by appropriate certifications, based on institutional records, by the institution's Chief Academic officer.

(e) ''Acceptable evidence of professional identification'' shall mean: member or fellow status in the American Psychological Association; or Diplomate status with the American Board of Professional Psychology; or state psychology licensure or certification; or receipt of the doctoral degree based in part upon a psychological dissertation, or the doctoral degree based an other evidence of proficiency in psychological scholarship from a program primarily psychological in content and conferred by a graduate or professional school that is regionally accredited, or that has achieved such accreditation within five years of the year the doctoral degree was granted, or one of equivalent standing outside the United States.

(f) ''Acceptable evidence of applicant coursework'' shall mean official transcript records of coursework completed with a passing grade, such records to be supplemented, where necessary to validate course content, with course catalogue descriptions, course outlines or syllabi, and/or student plans of study from official institutional files contemporaneous with the applicant's enrollment.

(g) ''Closely related'' shall mean related as a spouse, child, grandchild, child's or grandchild's spouse, parent, grandparent, brother, or sister.

(h) ''Department'' shall mean the Department of Public Health.

(i) ''Board'' shall mean the Board of Examiners of Psychologists, as established by Connecticut General Statutes, Section 20-186.

(j) ''Employ on a full-time basis'' shall mean to employ an individual for a minimum of thirty (30) hours per week.

(Effective April 2, 1991; amended August 17, 2009)

Sec. 20-188-2. Doctoral educational standards for Connecticut psychology licensure

(a) A program holding accreditation by the American Psychological Association shall constitute an approved doctoral educational program in psychology for Connecticut psychology licensure, pursuant to Connecticut General Statutes, Sections 20-188 and 20-189.

(b) A program, in which the applicant completed the doctoral degree prior to July 1, 1989, and which does not hold accreditation by the American Psychological Association shall be an approved doctoral educational program in psychology for Connecticut psychology licensure, pursuant to Connecticut General Statutes, Section 20-188 and 20-189, when the Department has determined, with the advice and assistance of the Board, that the program was in compliance with recognized written national standards for the preparation of psychologists which were in effect at the time of the applicant's matriculation in such program. These standards shall include, but not necessarily be limited to, those contained within the following publications: The American Psychological Association's ''accreditation procedures and criteria'' in effect at the time of the applicant's matriculation in the program; and for an applicant matriculating in such program in and after 1977, the national register of health service providers in psychology's ''guidelines for defining doctoral degrees in psychology.''

(c) A program located within the United States or its territories, in which the applicant completed the doctoral degree on or after July 1, 1989, which does not hold accreditation by the American Psychological Association shall be an approved doctoral educational program in psychology for Connecticut psychology licensure, pursuant to Connecticut General Statutes Sections 20-188 and 20-189, when all of the criteria specified below are satisfied:

(1) The program shall be offered in an institution of higher education holding accreditation by a recognized regional accrediting body. The institution which granted the applicant's doctoral degree shall hold accreditation by a recognized regional accrediting body to grant degrees at the doctoral level. Any other institution at which the applicant completed graduate-level coursework in psychology shall have held accreditation by a recognized regional accrediting body to grant degrees at the graduate level.

(2) The program, wherever it may be administratively housed, shall be clearly identified and labeled as a psychology program. Acceptable documentation shall clearly identify the program as a psychology program with the intent to educate and train professional psychologists.

(3) The program shall stand as a recognizable, coherent organizational entity within the institution. Acceptable documentation shall clearly demonstrate that the institution has recognized and established an organizational structure, curriculum, administration, and faculty for the psychology program.

(4) Psychologists shall have clear authority and primary responsibility for the core and specialty areas within the program. Acceptable documentation shall clearly identify a psychologist or psychologists responsible for core and specialty areas within the program. When the professional identification of the responsible individual(s) is in question, acceptable evidence of professional identification shall be required.

(5) The program shall be an organized, integrated sequence of required study designed and predominately taught by the psychology faculty responsible for the doctoral program. Acceptable documentation shall clearly identify specific educa-

tional objectives and an organized, sequenced plan for meeting these objectives through required coursework, elective study, and related training experiences. Said objectives and plan must be designed and predominately taught by faculty of the program. The requirements of this subsection shall not be satisfied when a program permits educational objectives to be met solely by the completion of a specified number of course credits, examinations, independent study experiences, and/or hours of work experience.

(6) The program shall have an identifiable core of full-time psychology faculty. Acceptable documentation shall clearly identify a core of psychologists serving as full-time faculty for the program. When the professional identification of the responsible individual(s) is in question, acceptable evidence of professional identification shall be required.

(7) The program shall have an identifiable body of students who are matriculated in that program for a doctoral degree. Acceptable documentation shall clearly demonstrate that the program has an identifiable body of doctoral students matriculated in that program.

(8) The applicant shall complete a course of studies which encompasses a minimum of three academic years, or its equivalent, of full-time graduate study, of which a minimum of one academic year, or its equivalent, of full-time academic graduate study in psychology must be completed in residence at the institution granting the doctoral degree. Acceptable evidence of applicant coursework shall document completion of the specified minimum lengths of full-time graduate study and study in residence. The requirement for study in residence shall be satisfied by full-time registration, attendance at, and participation in didactic coursework at the physical site of the institution granting the doctoral degree. Such requirement shall not be satisfied solely by the accumulation of contact hours with faculty or supervisors remote from the physical site of the institution granting the doctoral degree, nor solely by the completion of a specified number of course credits, independent study experiences, examinations, and/or hours of work experience.

(9) The applicant shall complete a course of studies which encompasses instruction in scientific methods in psychology and which shall include instruction in research design and methodology, statistics, and psychometrics. Acceptable evidence of applicant coursework shall document satisfactory completion of a minimum of six graduate semester hours, or ten graduate trimester hours, of study in scientific methods of psychology, including the study of research design and methodology, statistics, and psychometrics. Not less than three graduate semester hours, or five graduate trimester hours, of the applicant's study in scientific methods of psychology shall be in research design, methodology, and statistics.

(10) The applicant shall demonstrate that the content of his doctoral program was primarily psychological by completion of classroom instruction in the following four substantive basic science areas:

(A) BIOLOGICAL BASES OF BEHAVIOR, for example, physiological psychology, comparative psychology, neuro-psychology, sensation-and perception, psychopharmacology.

(B) COGNITIVE–AFFECTIVE BASES OF BEHAVIOR, for example, learning, thinking, motivation, emotion.

(C) SOCIAL BASES OF BEHAVIOR, for example, social psychology, group processes, organizational and systems theory.

(D) INDIVIDUAL DIFFERENCES, for example, personality theory, human development, abnormal psychology. Acceptable evidence of applicant coursework

shall document satisfactory completion of a total of at least twenty-one graduate semester hours, or thirty-five graduate trimester hours, of classroom instruction encompassing the four substantive content areas specified in this subsection. The requirements of this subsection shall not be satisfied by any course which had a predominately applied or clinical focus.

(11) The applicant shall complete a course of studies which includes a formal practicum, internship, or field training, which is supervised by program faculty, which is appropriate to the practice of psychology, and which is a minimum of one academic year in duration. Acceptable evidence of applicant coursework shall document satisfactory completion of a formal supervised practicum, internship, or field training in psychology. The requirements of this section shall not be satisfied by dissertation work alone.

(12) An applicant who has received a doctoral degree in psychology that does not meet the requirements of this subsection or subsections (a) or (b) of this section may remediate the required course work post-doctorally. Such supplemental course work shall consist of formal doctoral level course work meeting the requirements of subdivisions (9), (10) and (11) of this subsection and shall be completed in a program that meets the requirements of subsection (a) of this section.

(13) An applicant who has received a doctoral degree in a non applied or non clinical area of psychology shall meet the requirements of this subsection provided the applicant has completed a respecialization program in an applied psychology program accredited by the American Psychological Association.

(d) A program located outside the United States or its territories which does not hold accreditation by the American Psychological Association shall be an approved doctoral educational program in psychology for Connecticut licensure, pursuant to Connecticut General Statutes, Sections 20-188 and 20-189, when all of the criteria specified below are satisfied:

(1) The program shall be offered by an institution of higher education approved to grant degrees at the doctoral level by the appropriate governmental or government-recognized body of the jurisdiction in which it is located. The applicant shall be required to demonstrate that the degree granted is equivalent in level and content to a doctoral degree in psychology as granted by an approved United States program, as defined by these regulations. The applicant shall be responsible for providing official documentation of educational program, translations of any non-English language documentation, and professional evaluations of educational credentials by a credentials evaluation service designated by the Department.

(2) The program and applicant shall be required to meet the criteria of subsections (c)(2) through (c)(11) of this section.

(Effective April 2, 1991; amended August 17, 2009)

Sec. 20-188-3. Work experience standards for Connecticut psychology licensure

Work experience initiated on or after April 1, 1988, shall be satisfactory for Connecticut Psychology Licensure, pursuant to Connecticut General Statutes, Section 20-188, when all of the criteria specified below are satisfied.

(a) The work experience shall consist of at least one year at the pre-doctoral or post-doctoral level and does not include an internship completed as part of the requirements of completing a doctoral degree.

(1) The work experience shall consist of either:

(A) no less than thirty-five hours per week for no less than forty-six weeks within twelve consecutive months, or

(B) no less than 1800 hours within twenty-four consecutive months. No more than forty hours per week shall be credited toward the required experience.

(2) The completion date of such experience shall be no later than eight weeks prior to the scheduled date of administration of the licensure examination to which the applicant is seeking admission.

(b) The work experience shall be supervised in accordance with this subsection and subsection (d) of this section by one or more doctoral-level psychologist(s) licensed in the state where the experience was completed and supervised. A doctoral-level licensed psychologist shall have either directly supervised the applicant, or consulted with the applicant under contract to the employment setting. For each 40 hours of work experience, such supervision or consultation shall consist of at least three hours, of which no less than one hour shall be individual, direct, face-to-face supervision or consultation. The supervisor shall not be closely related to the supervisee nor have such other relationship to the supervisee that may reasonably be seen to compromise the objectivity of the supervisor. The supervisor shall not concurrently supervise more than a total of three individuals completing the work experience.

(c) The work experience shall be within an area for which the applicant is qualified by the applicant's doctoral education and shall be appropriate to the applicant's intended area of practice. The duties the applicant shall be performing, as documented by the supervisor, shall be within an area for which the applicant has completed a directly related sequence of graduate coursework and a supervised pre-doctoral internship, practicum, field training or laboratory training. Acceptable evidence of applicant coursework shall be required.

(d) The work experience shall be within an acceptable employment setting as defined in this subsection.

(1) An acceptable employment setting shall:

(A) employ on a full-time basis or contract or otherwise provide for the services of a doctoral-level licensed psychologist engaged in work in an area for which the applicant is qualified by the applicant's doctoral education in accordance with subsection (c) of this section;

(B) provide the applicant an opportunity for regularly occurring professional interaction and collaboration with other disciplines, an opportunity to utilize a variety of techniques and interventions, and an opportunity to work with a broad range of populations and conditions; and

(C) ensure that the licensed doctoral-level psychologist has direct and continuing administrative control of, as well as full professional responsibility and accountability for, the activities performed and services provided by the applicant and shall certify to the applicant's satisfactory completion of the work experience in accordance with subsection (e) of this section.

(2) The requirements of this subsection shall not be satisfied when the experience is completed within an applicant's independent practice setting, or when the applicant receives direct client fees or variable compensation based upon client fees generated.

(3) Documentation from the employment setting shall establish that the setting provides supervision for the applicant and meets all of the requirements of this subsection.

(e) The work experience shall be certified as satisfactorily completed by the licensed doctoral level psychologist who directly supervised the applicant.

(f) When such experience is to be completed in Connecticut, the applicant may file a supervised work experience plan with the Department on forms prescribed

by the Department. Written approval of the plan of supervised work experience may be obtained from the Department prior to the applicant's beginning such experience, based upon compliance of the plan with the requirements of this section.

(1) In order to obtain such approval, the applicant shall:

(A) satisfy the Department that the applicant has completed or is enrolled in a doctoral education program in psychology approved for Connecticut psychology licensure; and

(B) submit an acceptable plan for supervised work experience to the Department.

(2) Prior to licensure and during the period of time devoted to completing the work experience in Connecticut under the terms of an approved plan, the applicant shall be permitted to use the description ''psychology resident'' solely in the conduct of such applicant's approved work experience plan. Outside of an applicant's employment under the terms of a plan approved pursuant to subsection (f)(1) of this section, in accordance with Connecticut General Statutes, Section 20-187(a), applicants shall refrain from using any title employing the terms ''psychologist'', ''psychology'', or ''psychological'' to describe their services offered to the public, or to any public or private organization for a fee or other remuneration. Activities exempt from this provision are set forth in Connecticut General Statutes Section 20-195.

(Effective April 2, 1991; amended August 17, 2009)

Sec. 20-188-4.

Repealed, April 2, 1991.

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Marital and Family Therapists

Sec. 20-195a-1. Definitions. As used in sections 20-195a-1 to 20-195a-3, inclusive

(1) ''Department'' means the Department of Public Health.

(2) ''Regionally accredited college or university'' means one of the following regional accrediting bodies:

(a) New England Association of Schools and Colleges;

(b) Middle States Association of Colleges and Schools;

(c) North Central Association of Colleges and Schools;

(d) Northwest Association of Schools and Colleges;

(e) Southern Association of Colleges and Schools; and

(f) Western Association of Schools and Colleges.

(Effective February 2, 1988; amended April 29, 1997)

Sec. 20-195a-2. Graduate degree programs

A graduate degree program specializing in marital and family therapy shall be a graduate degree program satisfying all the criteria specified below, as evidenced by acceptable documentation:

(a) The program, wherever it may be administratively housed, shall be clearly identified and labeled as a marital and family therapy program with the intent to educate and train professional marital and family therapists.

(b) The program shall stand as a recognizable, coherent organizational entity within the institution, which institution shall have recognized and established an organizational structure, curriculum, administration, and faculty for the marital and family therapy program.

(c) Marital and family therapists shall have clear authority and primary responsibility for the core and specialty areas within the program. Acceptable documentation shall clearly identify a marital and family therapist or marital and family therapists responsible for core and specialty areas within the program. When the professional identification of the responsible individual(s) is in question, acceptable evidence of professional identification shall be submitted to the Department.

(d) The program shall be an organized, integrated sequence of required study designed and taught by the faculty responsible for the graduate program. Acceptable documentation shall clearly identify specific educational objectives and an organized, sequenced plan for meeting these objectives. Said objectives and plan must be designed and taught by faculty of the program. The requirements of this subsection shall not be satisfied when a program permits educational objectives to be met solely by the completion of a specified number of course credits, examinations, independent study experiences, or hours of work experience.

(e) The program shall have an identifiable core of full-time marital and family therapy faculty. Acceptable documentation shall clearly identify a core of marital and family therapists serving as full-time faculty for the program. When the professional identification of the faculty is in question, acceptable evidence of professional identification shall be submitted to the Department.

(f) The program shall have a body of students who are matriculated in that program for a graduate degree specializing in marital and family therapy.

(g) An applicant for marital and family therapy licensure shall demonstrate by acceptable evidence of applicant coursework that he has completed a course of study which encompassed a minimum of two academic years of full-time graduate study, or its equivalent, in marital and family therapy, including a minimum of one

academic year of full-time graduate study, or its equivalent, in marital and family therapy completed at the institution granting the graduate degree.

(h) An applicant for marital and family therapy licensure shall demonstrate that the content of his graduate degree program specialized in marital and family therapy by acceptable evidence of applicant coursework indicating completion of a curriculum which provided not less than:

(1) a total of 45 semester hours, or its equivalent, of coursework in the degree program;

(2) six (6) semester hours, or its equivalent, of classroom instruction in the theoretical foundations of Marital and Family Systems;

(3) six (6) semester hours, or its equivalent, of classroom instruction in the theories and practices of Marital and Family Therapy, including diagnosis assessment and treatment processes;

(4) six (6) semester hours, or its equivalent, of classroom instruction in Individual Development including, but not necessarily limited to, life-span human development, personality theory, psychopathology, or human sexuality;

(5) a total of 27 semester hours, or its equivalent, of classroom instruction in the content areas specified in (2), (3), and (4) combined;

(6) three (3) semester hours, or its equivalent, of classroom instruction in Professional Ethics and Standards, including but not necessarily limited to professional socialization, legal responsibilities and liabilities, ethics and family law, licensure or certification laws, confidentiality, independent practice and interprofessional cooperation;

(7) three (3) semester hours, or its equivalent, of classroom instruction in Research Methodology including, but not necessarily limited to, research design, statistical analysis, computer applications, or critical appraisal of published research; and

(8) one (1) calendar year of Supervised Clinical Practice in marital and family therapy, including a minimum of 500 supervised clock hours of direct face-to-face client contact.

(Effective February 2, 1988; amended April 29, 1997)

Sec. 20-195a-3. Post graduate experience and supervised casework

(a) The supervisor of the postgraduate casework shall be licensed in the state where the experience is being completed.

(b) Of the 100 hours of postgraduate supervised casework required, 50 hours shall be individual supervision consisting of one supervisor sitting face to face with either one or two supervisees. The remaining 50 hours may be individual supervison or group supervision consisting of no more than six supervisees meeting face to face with one supervisor.

(c) In cases where the supervisor of the postgraduate casework is being compensated, such compensation shall be provided by the employing agency or by the institute which has contracted with the candidate to provide the supervision or any other relationship in which the supervisee does not gain financial control over his supervisor.

(d) Any attempts on the part of the applicants to influence his supervision through compensation shall be grounds for denial of licensure

(Effective February 2, 1988; amended April 29, 1997)

Secs. 20-195a-4—20-195a-5.

Repealed, April 29, 1997.

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Continuing Education for Marital and Family Therapists

Sec. 20-195c-1. Definitions

For the purposes of sections 20-195c-1 to 20-195c-7, inclusive, of the Regulations of Connecticut State Agencies:

(1) ''Active practice'' means the treatment in Connecticut of one or more patients by a licensee during any given registration period;

(2) ''Certificate of completion'' means a document issued to a participant by a provider which certifies that the participant has successfully completed a continuing education activity;

(3) ''Contact hour'' means a minimum of fifty minutes of continuing education activity;

(4) ''Department'' means the Department of Public Health;

(5) ''Face-to-face instruction'' means in-person, live instruction which a participant physically attends, either individually or as a part of a group of participants;

(6) ''Home study program'' means continuing education activities clearly related to maintaining skills necessary for the safe and competent practice of marital and family therapy that include a proficiency examination and are sponsored, endorsed or approved by a regionally accredited academic institution, or the American Association for Marriage and Family Therapy or its affiliates;

(7) ''Licensee'' means a marital and family therapist licensed pursuant to section 20-195c of the Connecticut General Statutes;

(8) ''License renewal due date'' means the last day of the month of the licensee's date of birth;

(9) ''Participant'' means a licensee who successfully completes a continuing education activity;

(10) ''Provider'' means the individual educator or sponsoring organization conducting a continuing education activity; and

(11) ''Registration period'' means the one-year period for which a license has been renewed in accordance with section 19a-88 of the Connecticut General Statutes and is current and valid.

(Adopted effective November 4, 2003)

Sec. 20-195c-2. Number of contact hours required

(a) Each licensee applying for license renewal shall have completed a minimum of fifteen contact hours of qualifying continuing education during each registration period.

(b) Continuing education contact hours completed in one registration period shall not carry over to a subsequent registration period.

(c) Each licensee applying for license renewal shall sign a statement attesting that the licensee satisfies the continuing education requirements specified in sections 20-195c-1 to 20-195c-7, inclusive, of the Regulations of Connecticut State Agencies.

(Adopted effective November 4, 2003)

Sec. 20-195c-3. Basic requirements for qualifying continuing education activities

(a) Qualifying continuing education activities are the following:

(1) courses offered or approved by the American Association for Marriage and Family Therapy or its affiliates;

(2) courses accredited, approved or offered by the Commission on Accreditation for Marital and Family Therapist Education, National Board of Certified Counselors,

the American Counseling Association, the National Association of Social Workers, the American Association of Social Workers, the American Psychological Association, or their affiliates, provided the coursework is clearly related to maintaining skills necessary for the safe and competent practice of marital and family therapy;

(3) courses offered or approved by institutions accredited by the commission on accreditation for marital and family therapist education;

(4) graduate coursework in or related to the discipline of marital and family therapy field offered by a regionally accredited academic institution, either audited or by credit; or

(5) programs in or related to the discipline of marital and family therapy sponsored or approved by a regionally accredited academic institution, provided the coursework is clearly related to maintaining skills necessary for the safe and competent practice of marital and family therapy.

(b) Continuing education activities shall meet the following requirements:

(1) the activity involves face-to-face instruction or a home study program;

(2) the provider implements a mechanism to monitor and document physical attendance at such instruction or to verify licensee completion in the case of a home study program;

(3) the provider retains written records for a period of three years from the participant's actual successful completion of the activity, including but not limited to: content description; instructor; date of activity; location of activity; list of participants; participant's evaluation of instruction presented and number of contact hours; and

(4) the provider issues a certificate of completion after the participant's successful completion of the activity. Such certificate shall include the participant's name, provider's name, title or subject area of the activity, date and location of attendance and number of contact hours completed.

(c) Subject matter for qualifying continuing education activities shall reflect the scope of practice authorized under Chapter 383a of the Connecticut General Statutes.

(d) Activities which do not qualify for award of contact hours include: professional organizational business meetings; reading of books, articles, or professional journals; correspondence courses and other mechanisms of self instruction, except when used as a component of a home study program; and audio-visual materials, except when the latter is used as a component of a qualifying continuing education activity identified in subsections (a) and (b) of this section.

(Adopted effective November 4, 2003)

Sec. 20-195c-4. Award of contact hours

(a) Continuing education contact hours shall be awarded as follows:

(1) Courses, institutes, seminars, programs, clinics, conferences and teleconferences: one contact hour for each hour of attendance;

(2) first presentation by licensee of an original paper, essay or formal lecture or workshop in marriage and family therapy to a recognized group of colleagues at a professional meeting: five contact hours; and

(3) original paper published by licensee in a professional journal that accepts papers or an invited chapter or book only on the basis of independent review by experts: six contact hours for the first publication only of the material.

(b) Eight contact hours shall be the maximum continuing education contact hours granted for any one day's participation in the activities specified in subsection (a) of this section.

(c) Graduate level coursework shall be credited at one contact hour for each hour of attendance. Audited courses shall have hours of attendance documented.

(d) Continuing education activities that provide content related to organizational structure, marketing and similar topics relating to business management, shall be limited to not more than six contact hours in any one registration period.

(e) The licensee shall successfully complete a continuing education activity for award of any continuing education contact hours.

(Adopted effective November 4, 2003)

Sec. 20-195c-5. Record retention by licensees

(a) Each licensee shall obtain a certificate of completion from the provider of continuing education activities successfully completed. Each licensee shall maintain, for continuing education activities specified in subsection (a) of section 20-195c-3 of the Regulations of Connecticut State Agencies, written documentation of completion. Certificates of completion shall be retained by the licensee for a minimum of three years following the license renewal due date for which the activity satisfies license renewal requirements.

(b) The department may inspect such licensee records as it deems necessary. Certificates of completion shall be submitted by the licensee to the department only upon the department's request. Such records shall be submitted to the department by the licensee within 45 days of the department's request.

(c) A licensee who fails to comply with the continuing education requirements of sections 20-195c-1 to 20-195c-7, inclusive, of the regulations of Connecticut State Agencies may be subject to disciplinary action, pursuant to section 20-195d of the Connecticut General Statutes.

(Adopted effective November 4, 2003)

Sec. 20-195c-6. Exemptions from and waiver of the continuing education requirements

(a) A waiver of the continuing education requirements may be extended to a licensee who is not engaged in active practice during a given registration period provided the licensee submits, prior to the expiration of the registration period, a notarized application on a form provided by the department. The application shall contain a statement that the licensee shall not engage in active practice until the licensee has shown proof of completion of the requirements specified in sections 20-195c-1 to 20-195c-7, inclusive, of the Regulations of Connecticut State Agencies.

(b) The Department may, in individual cases involving a medical disability or illness, grant waivers of the minimum continuing education requirements or extensions of time within which to fulfill the same. The application for waiver or time extension shall be accompanied by a verifying document signed by a licensed physician. Waivers of the minimum continuing education requirements or extensions of time may be granted by the department for a period not to exceed one (1) calendar year. If the medical disability or illness, upon which a waiver or time extension has been granted continues beyond the period of the waiver or extension, the licensee shall reapply for the waiver or extension.

(c) A licensee whose license is due to expire within twelve months of the effective date of sections 20-195c-1 to 20-195c-7, inclusive, of the Regulations of Connecticut State Agencies, shall be exempt from continuing education requirements until such licensee's next registration period.

(d) A licensee applying for license renewal for the first time is exempt from continuing education requirements.

(Adopted effective November 4, 2003)

Sec. 20-195c-7. Requirements for return to active practice following waiver of the continuing education requirements

(a) A licensee who has received a waiver pursuant to subsection (a) of section 20-195c-6 of the Regulations of Connecticut State Agencies shall successfully complete seven contact hours of qualifying continuing education prior to returning to active practice, which shall be applied to the continuing education requirements for the current registration period.

(Adopted effective November 4, 2003)

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Continuing Education for Clinical Social Workers

Sec. 20-195o(c)-1. Definitions

For the purposes of sections 20-195o(c)-1 to 20-195o(c)-7, inclusive, of the Regulations of Connecticut State Agencies:

(1) ''Active practice'' means the treatment in Connecticut of one or more patients by a licensee during any given registration period;

(2) ''Certificate of completion'' means a document issued to a participant by a provider which certifies that the participant has successfully completed a continuing education activity;

(3) ''Contact hour'' means a minimum of fifty minutes of continuing education activity;

(4) ''Department'' means the Department of Public Health;

(5) ''Face-to-face instruction'' means in-person, live instruction which a participant physically attends, either individually or as a part of a group of participants;

(6) ''Home study program'' means continuing education activities clearly related to maintaining skills necessary for the safe and competent practice of clinical social work that require successful completion of a proficiency examination, and may include distance learning and internet-based educational programs;

(7) ''Licensee'' means a clinical social worker licensed pursuant to Section 20-195n of the Connecticut General Statutes;

(8) ''License renewal due date'' means the last day of the month of the licensee's date of birth;

(9) ''Participant'' means a licensee who successfully completes a continuing education activity;

(10) ''Provider'' means the individual educator or sponsoring organization conducting a continuing education activity; and

(11) ''Registration period'' means the one-year period during which a license has been renewed in accordance with Section 19a-88 of the Connecticut General Statutes and is current and valid.

(Adopted effective October 1, 1999; amended December 5, 2005)

Sec. 20-195o(c)-2. Number of credits required

(a) Each licensee applying for license renewal shall have completed a minimum of fifteen credit hours of qualifying continuing education for clinical social workers during the preceding registration period.

(b) Continuing education credit hours completed in one registration period shall not carry over to a subsequent registration period.

(c) Each licensee applying for license renewal shall sign a statement attesting that he satisfies the continuing education requirements specified in section 20-195o(c)-1 to section 20-195o(c)-7 of the Regulations of Connecticut State Agencies.

(Adopted effective October 1, 1999; amended December 5, 2005)

Sec. 20-195o(c)-3. Basic requirements for qualifying continuing education activities

(a) Continuing education activities shall meet the following requirements:

(1) The providers of continuing education are graduate schools of social work accredited by the Council on Social Work Education, or programs that are approved by the National Association of Social Workers, Association of Social Work Boards or other nationally recognized organization that demonstrates to the department that their standards are substantially similar;

(2) the activity involves face-to-face instruction or a home study program;

(3) the provider implements a mechanism to monitor and document physical attendance at such instruction or to verify that a licensee completed a home study program as defined in section 20-195o(c)-1(6) of the Regulations of Connecticut State Agencies;

(4) the provider retains written records for a period of three years from the participant's actual successful completion of the activity, including but not limited to: content description; instructor; date of activity; location of activity; list of participants; participant's evaluation of instruction presented and number of contact hours; and

(5) the provider issues a certificate of completion after the participant's successful completion of the activity. Such certificate shall include the participant's name, provider's name, title or subject area of the activity, date and location of attendance and number of contact hours completed.

(b) Subject matter for qualifying continued education activities shall reflect the scope of practice authorized under Chapter 383b of the Connecticut General Statutes.

(c) Activities which do not qualify for award of contact hours include: professional organizational business meetings; speeches delivered at luncheons or banquets; reading of books, articles, or professional journals; correspondence courses and other mechanisms of self instruction, except when used as a component of a home study program; and audio-visual materials, except when the latter is used as a component of a qualifying continuing education activity identified in subsection (a) of this section.

(Adopted effective October 1, 1999; amended December 5, 2005)

Sec. 20-195o(c)-4. Award of credit hours

(a) Continuing education credit hours shall be awarded as follows:

(1) Courses, institutes, seminars, programs, clinics, conferences and teleconferences: one credit hour for each contact hour of attendance;

(2) graduate level coursework offered by schools of social work accredited by the Council on Social Work Education: one credit hour for each hour of attendance. Audited courses shall have hours of attendance documented;

(3) first presentation by licensee of an original paper, essay or formal lecture in clinical social work to a recognized group of fellow professionals at a scientific meeting: five credit hours; and

(4) original paper published by licensee in a professional journal that accepts papers only on the basis of independent review by experts: six credit hours for the first publication only of the material.

(b) Eight credit hours shall be the maximum continuing education credit hours granted for any one day's participation in the activities specified in subsection (a) of this section.

(c) Continuing education activity that provides content related to organizational structure, marketing and similar topics relating to business management, shall be limited to not more than three contact hours in any one registration period.

(d) Continuing education activities that are completed as part of a home study program shall be limited to not more than six contact hours in any one registration period.

(e) The licensee shall successfully complete a continuing education activity for award of any continuing education credit hours.

(Adopted effective October 1, 1999; amended December 5, 2005)

Sec. 20-195o(c)-5. Record retention by licensees

(a) Each licensee shall obtain a certificate of completion from the provider of continuing education activities successfully completed. Each licensee shall maintain, for continuing education activities specified in subsection (a) of section 20-195o(c)-4 of the Regulations of Connecticut State Agencies, written documentation of completion. Certificates of completion shall be retained by the licensee for a minimum of three years following the license renewal due date for which the activity satisfies license renewal requirements.

(b) The department may inspect such licensee records as it deems necessary. Certificates of completion shall be submitted by the licensee to the department only upon the department's request. Such records shall be submitted to the department by the licensee within 45 days of the department's request.

(c) A licensee who fails to comply with the continuing education requirements of Sections 20-195o(c)-1 to 20-195o(c)-7 of the regulations of Connecticut State Agencies may be subject to disciplinary action, pursuant to section 20-195p of the Connecticut General Statutes.

(Adopted effective October 1, 1999)

Sec. 20-195o(c)-6. Exemptions from and waiver of the continuing education requirements

(a) A licensee applying for license renewal for the first time in Connecticut shall be exempt from continuing education requirements.

(b) A waiver of the continuing education requirement may be extended to a licensee who is not engaged in clinical social work during a given continuing education registration period provided he submits, prior to the expiration of the continuing education registration period, a notarized application on a form provided by the department. The application shall contain a statement that the licensee shall not engage in active practice until the licensee has shown proof, to the satisfaction of the department, of completion of the requirements specified in sections 20-195o(c)-1 to 20-195o(c)-7, inclusive, of the Regulations of Connecticut State Agencies.

(c) The department may, in individual cases involving a medical disability or illness, grant waivers of the minimum continuing education requirements or extensions of time within which to fulfill the same. The application for a waiver or extension of time shall be accompanied by a document signed by a licensed physician detailing the nature of the medical disability or illness. Waivers of the minimum continuing education requirements or extensions of time may be granted by the department for a period not to exceed one (1) year. If the medical disability or illness, upon which a waiver or extension of time is granted continues beyond the period of the waiver or extension of time, the licensee may reapply for an additional waiver or extension of time.

(Adopted effective October 1, 1999; amended December 5, 2005)

Sec. 20-195o(c)-7. Requirements for return to active practice following waiver of the continuing education requirements

(a) A licensee who has received a waiver, pursuant to subsection (b) of section 20-195o(c)-6 of the Regulations of Connecticut State Agencies, shall submit to the department evidence of successful completion of seven contact hours of continuing education within six months after returning to active practice.

(Adopted effective October 1, 1999)

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Continuing Education for Professional Counselors

Sec. 20-195cc-1. Definitions

For the purposes of sections 20-195cc-1 to 20-195cc-7, inclusive, of the Regulations of Connecticut State Agencies:

(1) ''Active practice'' means the treatment in Connecticut of one or more patients by a licensee during any given registration period;

(2) ''Certificate of completion'' means a document issued to a participant by a provider which certifies that the participant has successfully completed a continuing education activity;

(3) ''Contact hour'' means a minimum of fifty minutes of continuing education activity;

(4) ''Department'' means the Department of Public Health;

(5) ''Face-to-face instruction'' means in-person, live instruction which a participant physically attends, either individually or as a part of a group of participants;

(6) ''Home study program'' means continuing education activities, clearly related to maintaining skills necessary for the safe and competent practice of professional counseling that require the successful completion of a proficiency examination and are sponsored, endorsed or approved by the National Board of Certified Counselors, the American Counseling Association, the American Association of Marriage and Family Therapy, the National Association of Social Workers, the Association of Social Work Boards, the American Psychological Association, or their affiliates, a regionally accredited academic institution, the Connecticut Department of Education or the Connecticut Department of Mental Health and Addiction Services;

(7) ''Licensee'' means a professional counselor licensed pursuant to section 20-195cc of the Connecticut General Statutes;

(8) ''License renewal due date'' means the last day of the month of the licensee's date of birth;

(9) ''Participant'' means a licensee who successfully completes a continuing education activity;

(10) ''Provider'' means the individual educator or sponsoring organization conducting a continuing education activity; and

(11) ''Registration period'' means the one-year period for which a license has been renewed in accordance with section 19a-88 of the Connecticut General Statutes and is current and valid.

(Adopted effective March 3, 2003)

Sec. 20-195cc-2. Number of contact hours required

(a) Each licensee applying for license renewal shall have completed a minimum of fifteen contact hours of qualifying continuing education during the preceding registration period.

(b) Continuing education contact hours completed in one registration period shall not carry over to a subsequent registration period.

(c) Each licensee applying for license renewal shall sign a statement attesting that he satisfies the continuing education requirements specified in section 20-195cc-1 to section 20-195cc-7, inclusive of the Regulations of Connecticut State Agencies.

(Adopted effective March 3, 2003)

Sec. 20-195cc-3. Basic requirements for qualifying continuing education activities

(a) **Qualifying continuing education activities are the following:**

(1) courses offered or approved by the National Board of Certified Counselors, the American Counseling Association, the American Association of Marriage and

Family Therapy, the National Association of Social Workers, the Association of Social Work Boards, the American Psychological Association, or their affiliates, or the Connecticut Department of Education or the Connecticut Department of Mental Health and Addiction Services;

(2) graduate coursework in or related to the discipline of professional counseling offered by a regionally accredited academic institution, either audited or by credit; or

(3) programs in or related to the discipline of professional counseling sponsored or approved by a regionally accredited academic institution, provided the coursework is clearly related to maintaining skills necessary for the safe and competent practice of professional counseling.

(b) **Continuing education activities shall meet the following requirements:**

(1) the activity involves face-to-face instruction or a home study program;

(2) the provider implements a mechanism to monitor and document physical attendance at such instruction or to verify licensee completion in the case of a home study program;

(3) the provider retains written records for a period of three years from the participant's actual successful completion of the activity, including but not limited to: content description; instructor; date of activity; location of activity; list of participants; participant's evaluation of instruction presented and number of contact hours; and

(4) the provider issues a certificate of completion after the participant's successful completion of the activity. Such certificate shall include the participant's name, provider's name, title or subject area of the activity, date and location of attendance and number of contact hours completed.

(c) Subject matter for qualifying continuing education activities shall reflect the scope of practice authorized under Chapter 383c of the Connecticut General Statutes.

(d) Activities which do not qualify for award of contact hours include: professional organizational business meetings; speeches delivered at luncheons or banquets; reading of books, articles, or professional journals; correspondence courses and other mechanisms of self instruction, except when used as a component of a home study program; and audio-visual materials, except when the latter is used as a component of a qualifying continuing education activity identified in subsections (a) and (b) of this section. Home study programs may include distance learning and Internet-based educational programs.

(Adopted effective March 3, 2003)

Sec. 20-195cc-4. Award of contact hours

(a) **Continuing education contact hours shall be awarded as follows:**

(1) Courses, institutes, seminars, programs, clinics, conferences and teleconferences: one contact hour for each hour of attendance;

(2) first presentation by licensee of an original paper, essay or formal lecture in professional counseling to a recognized group of fellow professionals at a scientific meeting: five contact hours; and

(3) original paper published by licensee in a professional journal that accepts papers only on the basis of independent review by experts: six contact hours for the first publication of the material; and

(b) Graduate level coursework shall be credited at one contact hour for each hour of attendance. Audited courses shall have hours of attendance documented.

(c) Twelve contact hours shall be the maximum continuing education hours granted for any one day's participation in the activities specified in subsection (a) of this section.

(d) Continuing education activities that provide content related to organizational structure, marketing and similar topics relating to business management, shall be limited to not more than three contact hours in any one registration period.

(e) The licensee shall successfully complete a continuing education activity for award of any continuing education contact hours.

(Adopted effective March 3, 2003)

Sec. 20-195cc-5. Record retention by licensees

(a) Each licensee shall obtain a certificate of completion from the provider of continuing education activities. Certificates of completion shall be retained by the licensee for a minimum of three years following the license renewal due date for which the activity satisfies license renewal requirements.

(b) The department may inspect such licensee records as it deems necessary. Certificates of completion shall be submitted by the licensee to the department only upon the department's request. The licensee shall submit such records to the department within 45 days of the department's request.

(c) A licensee who fails to comply with the continuing education requirements of sections 20-195cc-1 to 20-195cc-7, inclusive, of the Regulations of Connecticut State Agencies may be subject to disciplinary action, pursuant to section 20-195ee of the Connecticut General Statutes.

(Adopted effective March 3, 2003)

Sec. 20-195cc-6. Exemptions from and waiver of the continuing education requirements

(a) A waiver of the continuing education requirements may be extended to a licensee who is not engaged in active practice during a given registration period provided he submits, prior to the expiration of the registration period, a notarized application on a form provided by the department. The application shall contain a statement that the licensee shall not engage in active practice until the licensee has shown proof of completion of the requirements specified in sections 20-195cc-1 to 20-195cc-7, inclusive, of the Regulations of Connecticut State Agencies.

(b) The department may, in individual cases involving a medical disability or illness, grant waivers of the minimum continuing education requirements or extensions of time within which to fulfill the same. The application for waiver or time extension shall be accompanied by a verifying document signed by a licensed physician. Waivers of the minimum continuing education requirements or extensions of time may be granted by the department for a period not to exceed one (1) calendar year. If the medical disability or illness, upon which a waiver or time extension has been granted continues beyond the period of the waiver or extension, the licensee shall reapply for the waiver or extension.

(c) A licensee whose license is due to expire within twelve months of the effective date of sections 20-195cc-1 to 20-195cc-7, inclusive, of the Regulations of Connecticut State Agencies, shall be exempt from continuing education requirements until such licensee's next registration period.

(d) A licensee applying for license renewal for the first time is exempt from continuing education requirements.

(Adopted effective March 3, 2003)

Sec. 20-195cc-7. Requirements for return to active practice following waiver of the continuing education requirements. Reinstatement of lapsed licenses

(a) A licensee who has received a waiver pursuant to subsection (a) of section 20-195cc-6 of the Regulations of Connecticut State Agencies shall successfully

complete seven contact hours of qualifying continuing education prior to returning to active practice, which shall be applied to the continuing education requirements for the current registration period.

(b) Any licensee whose license has been void and applies to the Department for reinstatement shall be required to submit certificates of completion documenting successful completion of qualifying continuing education as follows:

(1) if the license has been void for two years or less, a minimum of fifteen contact hours of qualifying continuing education during the one year period immediately preceding application for reinstatement; or

(2) if the license has been void for more than two years, a minimum of thirty contact hours of qualifying continuing education during the two year period immediately preceding application for reinstatement.

(Adopted effective March 3, 2003)

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Rules of Practice

Part I

Sec. 20-196-1. Procedure governed

These regulations govern the use of any facility for the treatment of animals, used by a veterinarian licensed by the State of Connecticut for the practice of veterinary medicine, surgery and dentistry.

(Effective March 14, 1974)

Sec. 20-196-2.

Repealed, June 16, 1982.

Part II

Sec. 20-196-3. Definitions as used in these regulations

(a) ''Office'' means a building, room or series of rooms in which the practice of a veterinarian is conducted.

(b) ''Clinic'' means a veterinary clinic is a facility giving medical and surgical care to patients. A facility that meets the definition of a hospital may be called either hospital or clinic, but if the facility meets the definition of a clinic and not a hospital, it must be called a clinic.

(c) ''Hospital'' means a veterinary hospital is a facility for medical and surgical treatment of animals. The practice conducted within this facility includes the confinement as well as the treatment of patients. Veterinary service should be available 7 days a week and emergency service should be available on a 24-hour basis.

Types of Hospitals

(a) Private or partnership hospital—a facility operated by one or two individuals.

(b) Group hospital—a facility organized, controlled and operated by a group of veterinarians for the medical and surgical treatment of their own patients.

(c) Central hospital—a central veterinary hospital organized, controlled and operated by licensed veterinarians as a facility with a fixed location, which receives patients from offices, clinics or other hospitals, is equipped to care for medical, surgical and dental cases and has a resident veterinarian in attendance at all times.

(d) Veterinary medical center—a veterinary medical center is a facility that performs full and complete consultative, clinical, and hospital services by an adequate staff of duly accredited veterinary scientists who perform scientific research and conduct advanced professional educational programs.

(e) Large animal veterinary medical facility—any facility used as a treatment center for the care of equines and bovines under the direct supervision of a veterinarian identified as such.

(Effective March 14, 1974)

Part III

Sec. 20-196-4. Standards for all facilities

(a) **Structural strength.** Housing facilities for animals shall be structurally sound and shall be maintained in good repair to protect the animals from injury, to contain the animals and to restrict the entrance of other animals.

(b) **Water and electrical power.** Reliable and adequate electrical power and adequate potable water shall be available.

(c) **Storage.** Supplies of food and bedding shall be stored in facilities which adequately protect such supplies against infestation or contamination by vermin and rodents. Refrigeration shall be provided for supplies of perishable food.

(d) **Washrooms and sinks.** Facilities such as washrooms, basins or sinks shall be provided to maintain cleanliness among animal caretakers.

(Effective March 14, 1974)

Sec. 20-196-5. Standards for indoor facilities

(a) **Heating.** Indoor housing facilities for animals shall be sufficiently heated when necessary to protect the animals from cold and provide for their health and comfort.

(b) **Ventilation.** Indoor housing facilities for animals shall be adequately ventilated to provide for the health and comfort of the animals at all times.

(c) **Lighting.** Indoor housing facilities for animals shall have ample light by natural or artificial means, of good quality and well distributed to permit routine examination and cleaning during the entire working period. The enclosure shall be so placed as to protect the animals from excessive illumination.

(d) **Interior surfaces.** The interior building surfaces of indoor housing facilities shall be constructed and maintained so that they are substantially impervious to moisture and shall be readily sanitized.

(e) **Drainage.** A suitable method shall be provided in rapidly eliminating excess water from indoor housing facilities. If drains are used, they shall be equipped with traps and so installed as to prevent any backup of sewerage onto the floor of the room.

(f) **Solid wastes.** All solid wastes must be removed from enclosures as often as is necessary.

(Effective March 14, 1974)

Sec. 20-196-6. Standards for outdoor facilities

(a) **Shelter from sunlight.** When sunlight causes overheating or dis comfort, sufficient shade shall be provided to allow all animals kept outdoors to protect themselves from the direct rays of the sun.

(b) **Shelter from rain or snow.** Animals kept outdoors shall be provided with access to shelter to allow them to remain dry during rain or snow.

(c) **Drainage.** A suitable method shall be provided in rapidly eliminating excess water from outdoor housing facilities. If drains are used, they shall be equipped with traps and so installed as to prevent any back-up of sewerage.

(d) **Solid wastes.** All solid wastes must be removed from animal enclosure as often as is necessary.

(Effective March 14, 1974)

Sec. 20-196-7. Enclosures for animals for all facilities shall conform to the following requirements

(a) Primary enclosures shall be structurally sound and maintained in good repair to protect the animals from injury, to contain them and to keep predators out.

(b) Primary enclosure shall be constructed and maintained so as to enable the animals to remain dry and clean.

(c) Primary enclosures shall be constructed and maintained so that the animals contained therein have convenient access to clean food and water as required for their general health and well-being.

(d) The floors, doors, and gates of the primary enclosure shall be constructed so as to protect the animals feet and legs from injury.
(Effective March 14, 1974)

Sec. 20-196-7-1. Additional requirements for primary enclosures housing cats

(a) In all enclosures having a solid floor, sufficient clean litter shall be provided to contain excreta.

(b) Each primary enclosure housing more than one cat shall be provided with a solid resting surface or surfaces which shall be of adequate size to hold all the occupants of the primary enclosure at the same time comfortably. Such resting surface or surfaces shall be elevated in primary enclosures housing two or more cats.
(Effective March 14, 1974)

Sec. 20-196-7-2. Space requirements

(a) **Dogs and cats.** Primary enclosures shall be constructed and maintained so as to provide sufficient space to allow each dog and cat to turn about freely and to stand, sit and lie in a comfortable, normal position with ease.

(b) **Dogs.** Each dog housed in any primary enclosure shall be provided a minimum square footage of floor space equal to the mathematical square (1.) of the sum of the length of the dog in inches as measured from the tip of its nose to the base of its tail expressed in square feet. Not more than 12 adult non-conditioned dogs shall be housed in the same primary enclosure. Cats—Each adult cat housed in any primary enclosure shall be provided a minimum of 2½ square feet of floor space; not more than 12 adult non-conditioned cats shall be housed in the same primart enclosure.

(1.)—This requirement may be figured by using the following equation:

$$(\text{length of dog in inches}) \times (\text{length of dog in inches}) \frac{\text{Required area in inches}}{144} =$$

Required square feet of floor space.
(Effective March 14, 1974)

Sec. 20-196-8. Feeding

(a) Animals shall be fed at least once each day except as otherwise might be required to provide adequate veterinary care.

(b) Food receptacles shall be accessible to all animals and shall be located so as to minimize contamination by body wastes.
(Effective March 14, 1974)

Sec. 20-196-9. Watering

If potable water is not accessible to the animals at all times, potable liquids shall be offered to such animals at least twice daily for periods of not less than one hour except as might otherwise be required to provide adequate veterinary care.
(Effective March 14, 1974)

Sec. 20-196-10. Sanitation

(a) **Cleaning of primary enclosures.** Body waste shall be removed from primary enclosures as often as necessary to prevent contamination of animals contained therein and to reduce disease hazards and odors.

(b) **Sanitation of primary enclosures.** Prior to the introduction of non- conditioned animals into empty primary enclosures previously occupied, such enclosures

shall be sanitized by washing them with hot water and soap or detergent, followed by a safe and effective sanitizing agent.
(Effective March 14, 1974)

Sec. 20-196-11. Housekeeping

(a) Premises (buildings and grounds) shall be kept clean and in good repair in order to protect the animals form injury and to promote their good health. Premises shall remain free of accumulations of trash.

(b) **Pest control.** An effective program for the control of insects, ectoparasites and avian and mammalian pests, shall be established and maintained.
(Effective March 14, 1974)

Sec. 20-196-12. Employees

A sufficient number of employees shall be utilized to maintain the prescribed level of husbandry practices set forth in this section. Such practices shall be under the direct supervision of the veterinarian in charge.
(Effective March 14, 1974)

Sec. 20-196-13. Veterinary care

(a) All programs of disease control and prevention, euthanasia and veterinary care shall be established and maintained under the supervision and assistance of a Doctor of Veterinary Medicine who shall assume direct responsibility for meeting the requirements of these regulations by the Connecticut State Board of Veterinary Registration and Examination. Each animal shall be observed daily by the veterinarian in charge or by a qualified person under his direct supervision.

(b) Animals under quarantine or treatment for a communicable disease shall be separated from other animals and other susceptible species of animals in such a manner as to minimize dissemination of such disease.
(Effective March 14, 1974)

Sec. 20-196-14. Large animal veterinary medical facility

(a) Surgery area should be a minimum of 20′ × 20′ with the ceiling sealed overhead, and constructed with impervious material to facilitate cleaning.

(b) Surgical area should be dust free.

(c) Holding pen size should be a minimum of 10′ × 10′ and should be covered, preferably.

(d) Box stalls shall be covered and cleaned daily when in use.

(e) Fly control shall be maintained.

(f) Adequate storage facilities shall be provided.

(g) Feed stuffs and bedding shall be maintained in a separate room in the hospital barn.

(h) Adequate drainage for holding pens shall be provided.

(i) Floors may be dirt or of impervious material, but must be kept clean and free of manure.

(j) Recovery stalls must be padded, and should be a minimum of 10′ × 10′.

(k) Bovine chutes must be kept clean. (1) Solid waste shall be kept in a covered area and removed daily.
(Effective March 14, 1974)

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ARTICLE 1

GENERAL PROVISIONS

Part 1

Scope and Construction of Rules

Secs. 20-196-15—20-196-16.
Repealed, April 22, 1982.

Part 2

Formal Requirements

Secs. 20-196-17—20-196-19.
Repealed, April 22, 1982.

ARTICLE 2

CONTESTED CASES

Part 1

Parties and Participation

Secs. 20-196-20—20-196-24.
Repealed, April 22, 1982.

Part 2

Hearing, General Provisions

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Repealed, April 22, 1982.

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Repealed, April 22, 1982.

ARTICLE 3

MISCELLANEOUS PROCEEDINGS

Part 1

Petitions Concerning Adoption of Regulations

Secs. 20-196-39—20-196-41.
Repealed, April 22, 1982.

Part 2

Requests for Declaratory Rulings

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Embalmers

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Sec. 20-211-6.
Repealed, August 5, 1969.

Secs. 20-211-7—20-211-8.
Repealed, June 16, 1982.

Funeral Directors

Sec. 20-211-9.
Repealed, August 5, 1969.

Sec. 20-211-10.
Repealed, June 16, 1982.

Sec. 20-211-11.
Repealed, August 5, 1969.

Secs. 20-211-12—20-211-14.
Repealed, June 16, 1982.

Sec. 20-211-15.
Repealed, August 5, 1969.

General

Sec. 20-211-16.
Repealed, August 5, 1969.

Sec. 20-211-17. Employment of registered students to be full time

Employment of registered student embalmers or student funeral directors shall be on a full-time paid basis. Part-time or side-line employment is not sufficient to meet the board's requirement. ''Full time'' means working a minimum of forty hours per week under a licensed funeral director or embalmer. Other employment may be allowed provided the student shall have obtained the prior written approval of the board.
(Effective August 5, 1969)

Sec. 20-211-18.
Repealed, August 5, 1969.

Sec. 20-211-19. Licenses and certificates. Display

Licenses and certificates issued by this board are nonassignable and nontransferable and shall be displayed by the holder thereof in a conspicuous place in his office or his place of business. Pocket licenses shall be carried on the person of the licensee at all times.

Secs. 20-211-20—20-211-21.
Repealed, August 5, 1969.

Sec. 20-211-20a. Registration procedures

Student embalmers and student funeral directors shall register as apprentices with the Department of Public Health and Addiction Services, for purposes of completing practical training and experience pursuant to chapter 385 of the Connecticut General Statutes. Applications for registration shall be submitted to the department, on forms provided by the department, and shall be accompanied by documentation satisfactory to the department that the applicant has completed a program of education approved pursuant to section 20-213 or section 20-217 of the Connecticut General Statutes and has successfully completed an examination in mortuary science prescribed pursuant to section 20-213 or section 20-217 of the Connecticut General Statutes. Said application shall include a statement to be signed by the licensed embalmer or funeral director indicating that such licensee shall be responsible for supervising the applicant's practical training and experience. Registration shall be issued to each applicant determined to be eligible under this section, for a period not to exceed one year, and may be renewed for an additional year at the discretion of the department if the department determines that such additional period of time is necessary for satisfactory completion of the practical training and experience. Computation of any period of practical training and experience shall commence at the date of registration by the department.

(Effective November 30, 1993)

Sec. 20-211-21a. Registration of pregraduate students

Notwithstanding any provision of section 20-211-20a of the Regulations of Connecticut State Agencies to the contrary, the department may, upon application, issue registration as a pregraduate student embalmer or pregraduate student funeral director to a person who has not yet completed the program of education or examination referenced in said section. Said registration shall be valid for a period not to exceed three months and shall be non-renewable.

(Effective November 30, 1993)

Secs. 20-211-22—20-211-24.

Repealed, August 5, 1969.

Secs. 20-211-25—20-211-27.

Repealed, June 16, 1982.

Sec. 20-211-28. Serving of food or drink in funeral home prohibited. Exception

Serving of food or drink in a funeral home or in connection with a funeral service or the storage of equipment and supplies for such purposes in a funeral home is prohibited, provided it shall not be a violation of this section if (a) the proprietor of a funeral home lives upon the premises and serves food or drink to his invitees or family not in connection with a funeral; (b) a proprietor of a funeral home stores equipment and supplies for the use of his employees or otherwise makes available to his employees facilities for food or drink.

(Effective August 5, 1969)

Sec. 20-211-29. Signs identifying funeral service establishments

Where a sign is used to identify a funeral service establishment and the name of a licensee is not a part of the corporate or firm name, the name of the licensee of record shall be placed in a conspicuous place easily visible to the public.

(Effective May 4, 1971)

Rules of Practice

Secs. 20-211-30—20-211-33.

Repealed, April 22, 1982.

Mandatory Disclosure Rules

Sec. 20-211-34. Mandatory disclosure

Every funeral firm in this state and/or the funeral service licensee thereof shall give or cause to be given to the person or persons making funeral arrangements or arranging for disposition of a dead human body, at the time such arrangements are completed and prior to the time of rendering the service and/or providing the merchandise, a written statement showing to the extent then known: (1) the price of the service that the person or persons have selected and what is included therein; (2) the price of each of the supplemental items of service and/or merchandise requested; (3) the amount involved for each of the items for which the firm will advance monies as an accommodation to the family; (4) the method of payment.

(Effective May 22, 1975)

Sec. 20-211-35. Billing ‘‘cash advanced’’ items

No funeral firm shall bill or cause to be billed any item that is referred to as a ‘‘cash advanced’’ item (Section 20-211-34) unless the net amount paid for such item or items by the funeral firm is the same as is billed by the funeral firm.

Failure to comply with Sections 20-211-34 or 20-211-35 shall result in a hearing as provided for in Sections 20-211-30 to 20-211-33.

(Effective May 22, 1975)

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Board of Examiners of Hypertrichologists

Secs. 20-269-1—20-269-2.

Repealed, June 16, 1982.

Hypertrichologist Licensure Requirements

Sec. 20-269-3. Definitions

As used in sections 20-269-3 to 20-269-8, inclusive, of the Regulations of Connecticut State Agencies:

(a) ''Department'' means the Department of Public Health.

(b) ''Board'' means the Board of Examiners of Electrologists.

(Effective October 30, 1987; amended March 8, 2001, July 25, 2002)

Sec. 20-269-4. Pre-professional education

All applicants for licensure shall be high school graduates or hold a high school equivalency diploma issued by the appropriate state educational or federal armed services authority.

(Effective October 30, 1987)

Sec. 20-269-5. Professional education program approval

(a) In order for a professional education program to be utilized by an applicant for licensure, it must meet the following requirements:

(1) The curriculum shall consist of a minimum of six hundred hours of electrology instruction.

(2) The curriculum shall include the following:

(A) At least two hundred hours of classroom instruction in basic sciences applicable to electrology, including but not limited to: bacteriology, sanitation and hygiene, biology, dermatology, trichology, theory of electricity, electrolysis and principles of infection control.

(B) At least four hundred hours of practical instruction in epilation techniques, utilizing electrolysis (direct current/DC) and thermolysis (alternating current/AC) modalities.

(b) Programs shall be individually reviewed and approved by the Board with the consent of the Department. The program shall submit such materials as may be required to the Board and Department for the purpose of review and approval.

(Effective October 30, 1987; amended March 8, 2001, July 25, 2002)

Sec. 20-269-6. Professional education

(a) All applicants for licensure shall have successfully completed a curriculum of electrology instruction approved by the Board with the consent of the Department in accordance with Section 20-269-5 of the Regulations of Connecticut State Agencies.

(b) The electrology instruction shall be completed within a program which holds all licensure, approval, and accreditation required by Connecticut or such other state as the program is located within.

(Effective October 30, 1987; amended July 25, 2002)

Sec. 20-269-7. Infection control standards

(a) All licensed electrologists shall maintain infection control standards during the practice of electrology to include, but not be limited to the following:

(1) Universal blood and body fluid precautions as recommended by the centers for disease control;

(2) A state of cleanliness in all treatment areas;

(3) Cleaning and sterilization of reusable instruments;

(4) Handling and disposal of instruments, needles and contaminated items.

(b) A supply of non-sterile disposable examination gloves shall be available for use in the treatment areas at all times.

(c) A sink with hot and cold running water shall be accessible to the treatment area.

(Effective October 30, 1987; amended March 8, 2001, July 25, 2002)

Sec. 20-269-8. Approved electrical methods

The electrical methods approved by the Commissioner of Public Health for the permanent removal of superfluous hair are those utilizing only needle/probe electrode type epilation which includes electrolysis (Direct Current/DC), thermolysis (Alternating Current/AC), or the blend (a combination of both electrolysis and thermolysis).

(Adopted effective March 8, 2001)

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Continuing Education for Electrologists

Sec. 20-275b-1. Definitions

For the purposes of sections 20-275b-1 to 20-275b-7, inclusive, of the Regulations of Connecticut State Agencies:

(1) ''Active practice'' means the treatment in Connecticut of one or more patients by a licensee during any given registration period;

(2) ''Certificate of completion'' means a document issued to a participant by a provider which certifies that the participant has successfully completed a continuing education activity;

(3) ''Contact hour'' means a minimum of fifty minutes of continuing education activity, unless otherwise specified in these regulations;

(4) ''Department'' means the Department of Public Health;

(5) ''Face-to-face instruction'' means in-person, live instruction which a participant physically attends, either individually or as a part of a group of participants;

(6) ''Home study program'' means continuing education activities, clearly related to maintaining skills necessary for the safe and competent practice of electrology that require the successful completion of a proficiency examination and are sponsored, endorsed or approved by the American Electrology Association or its affiliates;

(7) ''Licensee'' means an electrologist licensed pursuant to section 20-270 of the Connecticut General Statutes;

(8) ''License renewal due date'' means the last day of the month of the licensee's date of birth;

(9) ''Participant'' means a licensee who successfully completes a continuing education activity;

(10) ''Provider'' means the individual educator or sponsoring organization conducting a continuing education activity; and

(11) ''Registration period'' means the one-year period for which a license has been renewed in accordance with section 19a-88 of the Connecticut General Statutes and is current and valid.

(Adopted effective July 25, 2002)

Sec. 20-275b-2. Number of contact hours required

(a) Each licensee applying for license renewal shall have completed a minimum of ten contact hours of qualifying continuing education during the preceding registration period, at least two of which shall be in infection control, blood borne diseases, universal precautions or sanitation and sterilization, or any combination thereof.

(b) Continuing education contact hours completed in one registration period shall not carry over to a subsequent registration period.

(c) Each licensee applying for license renewal shall sign a statement attesting that the licensee satisfies the continuing education requirements specified in section 20-275b-1 to section 20-275b-7, inclusive of the Regulations of Connecticut State Agencies.

(Adopted effective July 25, 2002)

Sec. 20-275b-3. Basic requirements for qualifying continuing education activities

(a) Qualifying continuing education activities are the following:

(1) courses offered or approved by the American Electrology Association or its affiliates;

(2) hospital or medical school sponsored educational offerings, provided the coursework is related to health issues of practitioners;

(3) post-graduate coursework offered at electrology schools approved in accordance with section 20-269 of the General Statutes of Connecticut for the purposes of licensure, either audited or by credit;

(4) credit-bearing college courses and other post-graduate classes for continuing education credit offered at a regionally accredited academic institution, provided the coursework is clearly related to electrology theory, technical and clinical aspects of electrolysis, electrology research, ethical or legal aspects of practicing electrolysis or health issues of electrologists;

(5) cardiopulmonary resuscitation (CPR) course given by an American Heart Association or American Red Cross qualified instructor;

(6) presentation by a licensee of an original paper, essay or formal lecture in electrology; or

(7) original paper published by a licensee in a professional journal.

(b) Continuing education activities shall meet the following requirements:

(1) the activity involves face-to-face instruction or a home study program;

(2) the provider implements a mechanism to monitor and document physical attendance at such instruction or to verify licensee completion in the case of a home study program;

(3) the provider retains written records for a period of three years from the participant's actual successful completion of the activity, including but not limited to: content description; instructor; date of activity; location of activity; list of participants; participant's evaluation of instruction presented and number of contact hours; and

(4) the provider issues a certificate of completion after the participant's successful completion of the activity. Such certificate shall include the participant's name, provider's name, title or subject area of the activity, date and location of attendance and number of contact hours completed.

(c) Subject matter for qualifying continuing education activities shall reflect the scope of practice authorized under Chapter 388 of the Connecticut General Statutes, or as otherwise specified in these regulations.

(d) Activities which do not qualify for award of contact hours include: professional organizational business meetings; speeches delivered at luncheons or banquets; reading of books, articles, or professional journals; correspondence courses and other mechanisms of self instruction, except when used as a component of a home study program; and audio-visual materials, except when audio-visual materials are used as a component of a qualifying continuing education activity identified in subsections (a) and (b) of this section.

(Adopted effective July 25, 2002)

Sec. 20-275b-4. Award of contact hours

(a) Continuing education contact hours shall be awarded as follows:

(1) Courses, institutes, seminars, programs, clinics, conferences and teleconferences: one contact hour for each hour of attendance;

(2) first presentation by licensee of an original paper, essay or formal lecture in electrology to a recognized group of fellow professionals at a scientific meeting: five contact hours;

(3) original paper published by licensee in a professional journal that accepts papers only on the basis of independent review by experts: six contact hours for the first publication of the material; and

(4) post-graduate coursework shall be credited at one contact hour for each hour of attendance. Audited courses shall have hours of attendance documented.

(b) Eight contact hours shall be the maximum continuing education hours granted for any one day's participation in the activities specified in subsection (a) of this section.

(c) Successful completion of a cardiopulmonary resuscitation (CPR) course given by an American Heart Association or American Red Cross qualified instructor shall be credited at a maximum of three contact hours per registration period.

(d) The licensee shall successfully complete a continuing education activity for award of any continuing education contact hours.

(Adopted effective July 25, 2002)

Sec. 20-275b-5. Record retention by licensees

(a) Each licensee shall obtain a certificate of completion from the provider of continuing education activities. Certificates of completion shall be retained by the licensee for a minimum of three years following the license renewal due date for which the activity satisfies license renewal requirements.

(b) The department may inspect such licensee records as it deems necessary. Certificates of completion shall be submitted by the licensee to the department only upon the department's request. The licensee shall submit such records to the department within 45 days of the department's request.

(c) A licensee who fails to comply with the continuing education requirements of sections 20-275b-1 to 20-275b-7, inclusive, of the Regulations of Connecticut State Agencies may be subject to disciplinary action, pursuant to section 20-271 of the Connecticut General Statutes.

(Adopted effective July 25, 2002)

Sec. 20-275b-6. Exemptions from and waiver of the continuing education requirements

(a) A waiver of the continuing education requirements may be extended to a licensee who is not engaged in active practice during a given registration period provided the licensee submits, prior to the expiration of the registration period, a notarized application on a form provided by the department. The application shall contain a statement that the licensee shall not engage in active practice until the licensee has shown proof of completion of the requirements specified in sections 20-275b-1 to 20-275b-7, inclusive, of the Regulations of Connecticut State Agencies.

(b) The department may, in individual cases involving a medical disability or illness, grant waivers of the minimum continuing education requirements or extensions of time within which to fulfill the requirements. The application for waiver or time extension shall be accompanied by a verifying document signed by a licensed physician. Waivers of the minimum continuing education requirements or extensions of time may be granted by the department for a period not to exceed one (1) calendar year. If the medical disability or illness, upon which a waiver or time extension has been granted continues beyond the period of the waiver or extension, the licensee shall reapply for the waiver or extension.

(c) A licensee whose license is due to expire within twelve months of the effective date of sections 20-275b-1 to 20-275b-7, inclusive, of the Regulations of Connecticut State Agencies, shall be exempt from continuing education requirements until such licensee's next registration period.

(d) A licensee applying for license renewal for the first time is exempt from continuing education requirements.

(Adopted effective July 25, 2002)

Sec. 20-275b-7. Requirements for return to active practice following waiver of the continuing education requirements

A licensee who has received a waiver, pursuant to subsection (a) of section 20-275b-6 of the Regulations of Connecticut State Agencies, shall submit to the department evidence of successful completion of four contact hours of continuing education prior to returning to active practice, which shall be applied to the registration period during which the licensee was exempt from such continuing education requirements.

(Adopted effective July 25, 2002)

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Repealed, December 26, 1978.

Sec. 20-280-15a. Code of professional conduct

(a) This code of professional conduct is promulgated under the authority granted by section 20-280 (b) of the general statutes, which delegates to the state board of accountancy of Connecticut the power and duty to prescribe rules of professional conduct for establishing and maintaining high standards of competence and integrity in the profession of public accountancy.

(b) The rules of conduct set out in section 20-280-15c rest upon the premises that the reliance of the public in general and of the business community in particular on sound financial reporting, and on the implication of professional competence which inheres in the authorized use of a legally restricted title relating to the practice of public accountancy, imposes on persons engaged in such practice certain obligations both to their clients and to the public. These obligations, which the rules of conduct are intended to enforce where necessary, include the obligation to maintain independence of thought and action, to strive continuously to improve one's professional skills, to observe where applicable generally accepted accounting principles and generally accepted auditing standards, to promote sound and informative financial reporting, to hold the affairs of client in confidence, to uphold the standards of the public accountancy profession, and to maintain high standards of personal conduct in all matters affecting one's fitness to practice public accountancy.

(c) Acceptance of licensure to engage in the practice of public accountancy, or to use titles which imply a particular competence so to engage, involves acceptance by the licensee of such obligations, and accordingly of a duty to abide by the rules of conduct.

(d) The rules of conduct are intended to have application to all kinds of professional services performed in the practice of public accountancy, including tax and management advisory services, and to apply as well to all licensees, whether or not engaged in the practice of public accountancy, except where the wording of a rule clearly indicates that the applicability is more limited.

(e) A licensee who is engaged in the practice of public accountancy outside the United States will not be subject to discipline by the board for departing, with respect to such foreign practice, from any of the rules, so long as his conduct is in accordance with the standards of professional conduct applicable to the practice of public accountancy in the country in which he is practicing. However, even in such a case, if a licensee's name is associated with financial statements in such manner as to imply that he is acting as an independent public accountant and under circumstances that would entitle the reader to assume that United States practices are followed, he will be expected to comply with sec. 20-280-15c (g) and (h).

(f) In the interpretation and enforcement of the rules of conduct, the board will give consideration, but not necessarily dispositive weight, to relevant interpretations, rulings and opinions issued by the boards of other jurisdictions, and by appropriately authorized committees on ethics of professional organizations.

(Effective December 26, 1978)

Sec. 20-280-15b. Definitions

For purposes of these rules the following terms have the meanings indicated:

(1) **Board.** The state board of accountancy of Connecticut.

(2) **Client.** The person or entity which retains a licensee for the performance of professional services.

(3) **Enterprise.** Any person or entity, whether organized for profit or not, with respect to which a licensee performs professional services.

(4) **Firm.** A proprietorship, partnership or professional corporation engaged in the practice of public accountancy.

(5) **Financial statements.** Statements and footnotes related thereto that purport to show financial position which relates to a point in time or changes in financial position which relate to a period of time, including statements which use a cash or other incomplete basis of accounting. The term includes balance sheets, statements of income, statements of retained earnings, statements of changes in financial position and statements of changes in owners' equity, but does not include incidental financial data included in management advisory services reports to support recommendations to a client, nor does it include tax returns and supporting schedules.

(6) **He, his him.** Masculine pronouns when used herein also include the feminine and the neuter.

(7) **Licensee.** A person holding a certificate issued by the board, or registered with the board, or holding a permit to practice, pursuant to chapter 389 of the general statutes.

(8) **Practice of public accountancy.** Offering to perform or performing, for a clieor potential client, one or more types of services involving the use of accounting or auditing skills, or one or more types of management advisory or consulting services, or the preparation of tax returns or the furnishing of advice on tax matters, while holding oneself out in such manner as to state or imply that one is a licensee.

(9) **Professional services.** Any services performed or offered to be performed by a licensee for a client in the course of the practice of public accountancy.

(10) **Public communication.** A communication made in identical form to multiple persons or to the world at large, as by television, radio, motion picture, newspaper, pamphlet, mass mailing, letterhead, business card or directory.

(Effective December 26, 1978)

Sec. 20-280-15c. Rules of conduct

(a) **Independence.** A licensee shall not express an opinion on financial statements of an enterprise in such a manner as to imply that he is acting as an independent public accountant with respect thereto unless he is independent with respect to such enterprise. Independence will be considered to be impaired if, for example:

(1) During the period of his professional engagement, or at the time of expressing his opinion, the licensee:

(A) Had or was committed to acquire any direct or material indirect financial interest in the enterprise; or was a trustee of any trust or executor or administrator of any estate if such trust or estate had or was committed to acquire any direct or material indirect financial interest in the enterprise; or

(B) Had any joint closely-held business investment with the enterprise or any officer, director or principal stockholder thereof which was material in relation to the net worth of either the licensee or the enterprise; or

(C) Had any loan to or from the enterprise or any officer, director or principal stockholder thereof other than loans of the following kinds made by a financial institution under normal lending procedures, terms and requirements:

(i) Loans obtained by the licensee which are not material in relation to the net worth of the borrower; and

(ii) Home mortgages; and

(iii) Other secured loans, except those secured solely by a guarantee of the licensee.

(2) During the period covered by the financial statements, during the period of the professional engagement, or at the time of expressing an opinion, the licensee:

(A) was connected with the enterprise as a promoter, underwriter or voting trustee, a director or officer or in any capacity equivalent to that of a member of management or of an employee; or

(B) was a trustee for any pension or profit-sharing trust of the enterprise. The foregoing examples are not intended to be all-inclusive.

(b) **Integrity and objectivity.** A licensee shall not in the performance of professional services knowingly misrepresent the facts, nor subordinate his judgment to others. In tax practice, however, a licensee may resolve doubt in favor of his client as long as there is reasonable support for his position.

(c) **Commissions.** A licensee shall not pay a commission to obtain a client, nor accept a commission for a referral to a client of products or servs of others. This rule does not prohibit payments for the purchase of all, or a material part, of an accounting practice, or retirement payments to persons formerly engaged in the practice of public accountancy, or payments to the heirs or estates of such persons.

(d) **Contingent fees.** A licensee shall not offer or perform professional services for a fee which is contingent upon the findings or results of such services; provided however that this rule does not apply to professional services involving federal, state, or other taxes in which the findings are those of the tax authorities and not those of the licensee, nor does it apply to professional services for wh the fees are to be fixed by courts or other public authorities and which are therefore indeterminate in amount at the time the professional services are undertaken.

(e) **Incompatible occupations.** A licensee who is engaged in the practice of public accounting shall not concurrently engage in any business or occupation which would create a conflict of interest in rendering professional services.

(f) **Competence.** A licensee shall not undertake any engagement for the performance of professional services which he cannot reasonably expect to complete with due professional competence, including compliance, where applicable, with subsections (g) and (h) of this section.

(g) **Auditing standards.** A licensee shall not permit his name to be associated with financial statements in such a manner as to imply that he is acting as an independent public accountant with respect to such financial statements unless he

has complied with applicable generally accepted auditing standards. Statements on auditing standards issued by the American Institute of Certified Public Accountants, and other pronouncements having similar generally recognized authority, are considered to be interpretations of generally accepted auditing standards, and departures therefrom must be justified by those who do not follow them.

(h) **Accounting principles.** A licensee shall not express an opinion that financial statements are presented in conformity with generally accepted accounting principles if such financial statements contain any departure from such accounting principles which has a material effect on the financial statements taken as a whole, unless the licensee can demonstrate that by reason of unusual circumstances the financial statements would otherwise have been misleading. In such a case, the licensee's report must describe the departure, the approximate effects thereof, if practicable, and the reasons why compliance with the principle would result in a misleading statement. For purposes of this rule, generally accepted accounting principles are considered to be defined by pronouncements issued by the financial accounting standards board and its predecessor entities and similar pronouncements issued by other entities having similar generally recognized authority.

(i) **Forecasts.** A licensee shall not in the performance of professional services permit his name to be used in conjunction with any forecast of future transactions in a manner which may reasonably lead to the belief that the licensee vouches for the achievability of the forecast.

(j) **Confidential client information.** A licensee shall not without the consent of his client disclose any confidential information pertaining to his client obtained in the course of performing professional services.

This rule does not (1) relieve a licensee of any obligations under subsections (g) or (h), or (2) affect in any way a licensee's obligation to comply with a validly issued subpoena or summons enforceable by order of a court, or (3) prohibit disclosures in the course of a quality review of a licensee's professional services, or (4) preclude a licensee from responding to any inquiry made by the board or any investigative or disciplinary body established by law or formally recognized by the board.

Members of the board and professional practice reviewers shall not disclose any confidential client information which comes to their attention from licensees in disciplinary proceedings or otherwise in carrying out their responsibilities, except that they may furnish such information to an investigative or disciplinary body of the kind referred to above.

(k) **Records.**

(1) A licensee shall return to a client, upon request, client records. As used in this subsection, ''client records'' mean any accounting or other record belonging to the client that is provided by or on behalf of the client.

(2) A licensee's workpapers are the licensee's property and need not be made available to the client, except as provided in subdivision (3) hereof. For the purpose of this subsection, analyses or schedules prepared by the client at the request of the licensee for use by the licensee in connection with an attest engagement are licensee workpapers.

(3) A licensee shall make available to a client, upon request, workpapers which contain information not reflected in the client's books and records, and without which the client's financial information is incomplete. Such information includes, but is not limited to, adjusting, closing, combining or consolidating journal entries and information normally contained in books of original entry and general ledgers or subsidiary ledgers. The licensee may require the payment of fees due with respect to the preparation of such information before such information is provided.

(4) Once the licensee has complied with the provisions of this subsection, he need not comply with any subsequent requests to again provide that information.

(*l*) **Discreditable acts.** A licensee shall not commit any act that reflects adversely on his fitness to engage in the practice of public accountancy.

(m) **Acting through others.** A licensee shall not permit others to carry out on his behalf, either with or without compensation, acts which, if carried out by the licensee, would place him in violation of the rules of conduct.

(n) **Advertising.** A licensee shall not seek to obtain clients by advertising or other forms of solicitation in a manner that is false, misleading or deceptive. A false, misleading or deceptive statement or claim includes but is not limited to a statement or claim which:

(1) Contains a misrepresentation of fact; or

(2) Is intended or likely to create false or unjustified expectations of favorable results; or

(3) Implies educational or professional attainments or licensing recognition not supported in fact; or

(4) Contains other representations or implications that in reasonable probability will cause an ordinarily prudent person to misunderstand or be deceived.

(o) **Form of practice.** A licensee may practice public accountancy only in proprietorship, a partnership or a professional corporation, organized in accordance with chapter 594a of the general statutes.

(p) **Firm names.** A licensee shall not practice public accountancy under a firm name which is misleading. The names of one or more past partners, shareholders, or members may be included in the firm name of a partnership, corporation, limited liability company, or its successor. A partner, shareholder, or member surviving the death or withdrawal of all other partners, shareholders, or members may continue to practice under a firm name which includes the names of past partners, shareholders, or members for up to two years after becoming a sole proprietor.

(q) **Communications.** A licensee shall, when requested, respond to communications from the board within thirty days of the mailing of such communications by registered or certified mail.

(Effective September 23, 1987; amended October 31, 1996)

Sec. 20-280-16. Complaints, adjudication procedure

(a) **Purpose:** This section shall govern the procedure of the board in all hearings conducted under the authority of Section 20-286 of the General Statutes involving a violation or alleged violation, of Chapter 389 of the General Statutes and Regulations of the board, by any person, but these rules shall not be construed to be a limitation or repeal of the board's authority as provided by legislative act.

(b) **Definitions.** For the purpose of these rules: (1) ''Person'' means any individual, partnership, corporation, or association.

(2) ''Order'' means the whole or part of any final disposition of an adjudication.

(3) ''Adjudication'' means the board process in which a sanction may be imposed.

(4) ''Sanction'' means revocation or suspension of a license, or a censure of the license.

(5) ''License'' means any authority, certificate, or registration granted by the board.

(c) **Complaints.** Information or personal knowledge of any person, including any board member, which if true would indicate a possible violation of Chapter 389 of the General Statutes or the regulations of the board may be presented to the board in the form of a complaint in accordance with Section 20-286 of the General Statutes. Upon receipt of such complaint, the board shall review its particulars.

(d) **Action on complaint.** Upon completion of the review the board shall:

(1) If the complaint in its opinion has no foundation in law and/or fact, transmit to the person providing the information the determination as toe insufficiency of the complaint or of the evidence, or

(2) In all other cases cause to have prepared on its own motion, formal charges which shall be signed, caused to be served and prosecuted in accordance with

Sections 4-177, 4-178 and 20-286 of the General tutes by the secretary or by a board member designated by the chairman.

(e) **Conduct of hearings.** Hearings shall be conducted by two or more members of the board. The hearing shall:

(1) Be presided over by a presiding officer, who shall be the chairman if present for the hearing; otherwise, the chairman shall designate a board member as presiding officer.

(2) Be officially recorded.

(3) Be continued or adjourned for reasonable cause shown.

(f) **Evidence.** Evidentiary questions shall be ruled upon by the presiding officer. After all parties rest their cases, the board shall evaluate all testimony and other evidence and shall issue an appropriate order with findings of fact and conclusions. The secretary or board member prosecuting the complaint shall not participate in any deliberations, voting and preparation of the findings of fact, conclusions and order.

(g) **Record.** After adopting findings of fact and conclusions of law, the board shall issue an order dismissing the action, or providing the sanction under Section 20-286 it deems warranted. The order shall:

(1) Be explicit and include as a part thereof the findings of fact and conclusions of law of the board.

(2) Be served upon the respondent or his attorney by certified mail with return receipt requested.

(h) **Motion for reconsideration.** A petition to the board for vacation or reduction of the severity of a sanction imposed shall be submitted in writing within thirty days subsequent to the issuance of an order except that the board is not required to provide a hearing for consideration thereof.

(Effective May 25, 1988)

Continuing Education for Accountants

Secs. 20-280-17—20-280-19.

Repealed, March 19, 1996.

Use of the Title ''Certified Public Accountant'' Upon Registration of a Certificate

Sec. 20-280-20. Use of title upon registration of a certificate

(a) **Definitions.** As used in this section:

(1) ''Certificate'' means a ''certified public accountant'' certificate issued either prior to October 1, 1992, or pursuant to section 20-281c of the general statutes or a ''certified public accountant'' certificate issued after examination pursuant to the laws of any other state;

(2) ''Firm'' means any person, proprietorship, partnership, corporation or association and any other legal entity which practices public accountancy;

(3) ''License'' means a public accountancy license issued pursuant to section 20-281b or 20-281d of the general statutes;

(4) ''Licensee'' means the holder of a certificate issued pursuant to section 20-281c of the general statutes, the holder of a license issued pursuant to section 20-281b or 20-281d of the general statutes or a holder of a permit to practice public accountancy issued pursuant to sections 20-281b and 20-281e of the general statutes;

(5) ''Permit'' means a permit to practice public accountancy issued to a firm pursuant to section 20-281e of the general statutes;

(6) ''Practicing public accountancy'' means performing for the public or offering to perform for the public for a fee by a person or firm holding himself or itself out to the public as a licensee one or more kinds of services involving the use of

accounting or auditing skills, including, but not limited to, the issuance of reports on financial statements, or of one or more kinds of management advisory, financial advisory or consulting services, or the preparation of tax returns or the furnishing of advice on tax matters;

(7) ''Registration'' or ''Registered'' means, when used in the context of a certificate, registration pursuant to subsection (f) of section 20-281c of the general statutes;

(8) ''Report'' means any writing which refers to a financial statement and (A) expresses or implies assurance as to the reliability of said financial statement, and includes, but is not limited to, any writing disclaiming an opinion, when such writing contains language conventionally understood in the profession to express or imply assurance as to the reliability of such financial statement, and (B) expresses or implies that the person or firm issuing such writing has special competence in accounting or auditing, which expression or implication arises from, among other things, the use of written language which is conventionally understood in the profession to express or imply assurance as to the reliability of financial statements.

(9) ''Title pertaining to certification'' or ''Title pertaining to such certification'' means the title or designation ''certified public accountant'' or the abbreviation ''CPA'' or any other title, designation, words, letters, abbreviations, sign, card or device tending to indicate that a person is a certified public accountant.

(b) **General rule.** The holder of a certificate who does not also hold a license shall not use the title pertaining to such certification except as permitted by this section.

(c) **Non-business use.** The holder of a registered certificate may use the title pertaining to such certification on personal stationary, checks and social correspondence, provided that, such title shall not be used in connection with any activity engaged in for the purpose of generating income or which does generate income, except as permitted in subsections (d), (e) and (f) of this section.

(d) **Public practice.** The holder of a registered certificate who is an employee of a firm which holds a current permit to practice public accountancy but who is not a proprietor, partner, shareholder or member of such firm, may use the title pertaining to such certification, in the course of his employment with such firm, in the following manner: (1) in oral or written communication related to the business of such firm; (2) in connection with the listing of such employee's name on business cards if the cards identify such firm; and (3) in connection with the listing of such employee's name on the firm's letterhead and in advertising for the firm, provided that such letterhead or advertising indicates that such employee is not a proprietor, partner, shareholder or mem in such firm. Such letterhead or advertising may so indicate by the use of wording, graphic devices, grouping or physical separation of names, or some other means, or by a combination of any of the foregoing, which clearly indicates on the face of such letterhead or advertising that certain individuals or a certain group or groups of individuals listed therein consist only of proprietors, partners, shareholders or members, while other individuals or another group or groups listed therein consist only of individuals who are not proprietors, partners, shareholders or members.

(e) **Academic use.** The holder of a registered certificate employed, either full time or part time, as a faculty member or administrator of an educational institution, whether public or private, for profit or nonprofit, may use the title pertaining to such certification in the course of his academic activities or administrative duties, including, but not limited to, use in business cards, academic catalogues, articles, books and other publications and in academic directories or listings.

(f) **Business use other than in public practice.** The holder of a registered certificate who is an officer, director, employee, or agent of an entity, other than a firm engaged in the practice of public accountancy, may use the title pertaining to such certification in the course of his duties as such officer, director, employee, or agent only if such usage clearly identifies the entity and the person's position within such entity, and may include use on correspondence, business cards, directories,

and oral or written communication; provided, however, in no event shall such title be used on, or in connection with any report or any financial statement which the certificate holder has reason to believe may be transmitted to a party outside of the entity.

(g) **Use for which license is required.** Nothing in this section shall be construed to allow the holder of a certificate, who does not also hold a license, to affix his name or the name of any firm to a report, or to affix the name of a firm or his name together with a title pertaining to such certification to any tax return, or to allow the holder of a certificate, who does not also hold a license and a permit, to practice public accountancy.

(h) **Non-Connecticut certificates.** If the certificate registered pursuant to section 20-281c of the general statutes was issued by a jurisdiction other than Connecticut, any use in writing or in print of the title pertaining to such certification shall be accompanied by the name, or the abbreviation of the name, of the jurisdiction which issued such certificate.

(Effective June 22, 1994)

Requirement to Obtain a Certified Public Accountant Certificate

Sec. 20-280-21. Requirements to obtain a certified public accountant certificate

To obtain a certified public accountant certificate an applicant shall fulfill the following requirements:

(1) **Application.** File an application prescribed by the board.

(2) **Fee.** Pay the applicable statutory fee at the time the application is filed.

(3) **Good character.** Submit evidence satisfactory to the board of good character, as defined in subsection (b) of section 20-281c of the general statutes.

(4) **Education.** Possess the educational qualifications set forth in section 20-280-22 of these regulations.

(5) **Examination.** Pass the examination as provided in section 20-280-23 of these regulations.

(6) **Ethics.** Attain a grade specified by the board on such examination in professional ethics as the board may prescribe.

(7) **Experience.** Obtain and document the experience as provided in section 20-280-24 of these regulations.

(Adopted, effective April 21, 1995)

Sec. 20-280-22. Education requirements to obtain a certified public accountant certificate

The following educational requirements shall be met before an applicant is eligible to apply for a certified public accountant certificate pursuant to section 20-280-21 of these regulations:

(a) An applicant who takes the examination prior to January 1, 2000 shall be a graduate of an accredited college with a degree of bachelor. The college shall be accredited by the regional accrediting commission subscribing to the national policies and procedures established by the federation of regional accrediting commissions of higher education; or a college of equivalent accreditation as determined by the Connecticut State Board of Accountancy. The candidate shall have received credit for at least 46 semester hours from such an accredited college in the study of accounting and related subjects, including, but not limited to business law, economics, and finance; of which at least twenty-four semester hours shall be in the study of accounting.

(b) Notwithstanding any other provision of these regulations to the contrary, an applicant who takes the examination prior to January 1, 2000 need only have the

educational qualifications set forth in subsection (a) of this section to retake any or all parts of the examination on or after January 1, 2000.

(c) An applicant who takes the examination for the first time on or after January 1, 2000 shall have completed 150 semester hours of college education, including a baccalaureate degree, at a college or university accredited by a regional accrediting commission subscribing to established national policies and procedures or of equivalent accreditation as determined by the Board. Such an applicant shall have received credit for at least 36 semester hours in accounting education, which may include the basic or introductory accounting course; at least 30 semester hours in economics and business administration education other than accounting; and at least 60 semester hours in general education. The balance may consist of any for-credit courses, including courses in excess of the minimums set forth in the preceding sentence.

(d) In lieu of subsections (a), (b) or (c) above, an applicant shall hold an authority to practice as a public accountant in the state of Connecticut under Section 20-281b of the General Statutes.

(Adopted, effective April 21, 1995; amended April 29, 2008)

Sec. 20-280-23. Examination

(a) **Educational qualifications to sit for the certified public accountant's examination.**

An applicant shall be eligible to apply to sit for the examination for the first time on or after May 26, 2007 if he or she is a graduate of an accredited college with a degree of bachelor. The college shall be accredited by the regional accrediting commission subscribing to the national policies and procedures established by the federation of regional accrediting commissions of higher education; or a college of equivalent accreditation as determined by the Connecticut State Board of Accountancy. The candidate shall have received credit for at least 46 semester hours from such an accredited college in the study of accounting and related subjects, including, but not limited to business law, economics, and finance; of which at least twenty-four semester hours shall be in the study of accounting.

(b) **Application process.**

(1) Requirements to take the examination. An applicant shall:

(A) Submit to the examination service authorized by the board to administer the examination any application, documentation and proof of identity that the examination service may require, and pay any fee that the examination service may require;

(B) Submit documentation that, prior to applying for the examination, the applicant has met the educational qualifications set forth in subsection (a) of this section;

(C) Submit to the board satisfactory evidence of good character, as defined in subsection (b) of section 20-281C of the Connecticut General Statutes.

(2) Notice. The Board, or its designee, shall for each applicant and eligible candidate:

(A) Determine the eligibility of each applicant;

(B) Forward notice of the time and place of the examination to each eligible candidate; and

(C) Forward notification of eligibility for the computer-based examination to the National Association of State Boards of Accountancy's National Candidate Database;

(3) Failure to appear for the examination. A candidate who fails to appear for the examination shall forfeit all fees charged for both the application and the examination.

(c) **Content**. The examination shall consist of the following sections:

(1) Auditing and Attestation;

(2) Financial Accounting and Reporting;

(3) Regulation;

(4) Business Environment and Concepts.

(d) **Passing Grade**. A candidate shall attain a scaled score of seventy-five points in each section.

(e) **Granting of Credit**. The exam shall be administered four times annually during three month examination periods as scheduled by the board or its designee. A candidate may take the required exam sections individually and in any order. Credit for any section(s) passed shall be valid for eighteen months from the actual date the candidate took that exam section, without having to attain a minimum score on any failed exam section and without regard to whether the candidate has taken other exam sections.

(1) Except as provided in subdivision (3) of this subsection, candidates shall pass all four exam sections of the examination within a rolling eighteen-month period, which begins on the date that the first exam section passed in taken. Any exam section passed outside the eighteen-month period shall expire and that exam section must be retaken.

(2) Candidates cannot retake a failed exam section during the same examination period.

(3) For reason of health, military service, or other individual hardship, the board may, in its discretion, extend the time limit for passing all remaining subjects beyond that set forth in section (1) of this subdivision.

(f) **Credit for examinations taken out-of-state**

(1) Any individual who has obtained credit for any section of the uniform certified public accountant examination as graded by the Board of Examiners of the American Institute of Certified Public Accountants from a state other than Connecticut or other examination approved by the board, and who qualifies under subsection (a) of this section to take the examination in Connecticut shall receive credit for such sections subject to the provisions of this section.

(2) A candidate who has received full credits from a state other than Connecticut shall make application on forms prescribed by the board, and such application shall be filed with the board. A candidate's out-of-state credits shall not be accepted unless at the time the candidate received his out-of-state credits the state of issuance had in effect credit procedures and standards equivalent to or stricter than those credit procedures and standards then in effect in state of Connecticut.

(g) **Transitional rules for conditional credit**. Candidates who, on the date a computer-based examination approved by the board is first administered in this state, have unexpired credit for passing one or more sections of the paper-and-pencil examination:

(1) Shall receive credit for passing the corresponding sections of the computer-based examination, as follows:

(A) Credit for having passed auditing in a paper and pencil format shall be deemed credit for auditing and attestation in the computer-based examination;

(B) Credit for having passed financial accounting and reporting in a paper and pencil format shall be deemed credit for financial accounting and reporting in the computer-based examination;

(C) Credit for having passed accounting and reporting taxation, managerial, and governmental and not-for-profit organizations in a paper and pencil format shall be deemed credit for regulation in the computer-based examination;

(D) Credit for having passed business law and professional responsibilities in a paper and pencil format shall be deemed credit for business environment and concepts in the computer-based examination.

(2) Shall be allowed a transition period to pass all remaining sections of the computer-based exam. The transition period shall equal the remaining number of opportunities under the paper and pencil examination, multiplied by three months. Any exam section passed outside the transition period shall expire and that exam section must be retaken.

(h) **Hardship**. For reason of health, military service, or other individual hardship, the board may, in its discretion, extend the term of any credit.

(i) **Cheating**.

(1) Cheating by a candidate shall be deemed to invalidate any grade earned by that candidate on any section of the examination, and may warrant summary expulsion from the test site and disqualification from taking the examination for a period of time ranging from until the next administration of the examination up to a lifetime ban.

(2) Actions including, but not limited to, the following may be considered cheating:

(A) Falsifying or misrepresenting educational credentials or other information required for admission to the examination;

(B) Communication between candidates inside or outside the examination site or copying another candidate's answers while the examination is in progress;

(C) Communication with others inside or outside the examination site while the examination is in process;

(D) Substitution of another person to sit in the examination site in the stead of the candidate;

(E) Possession of or reference to crib sheets, textbooks or other material or electronic media (other than that provided to the candidate as part of the examination) inside or outside the test site while the examination is in progress;

(F) Violating the nondisclosure prohibitions of the examination or aiding or abetting another in doing so;

(G) Retaking or attempting to retake an examination section by an individual who has unexpired credit for having already passed the same examination section, unless the individual has been directed to retake an examination section pursuant to Board order to participate in a ''Secret Shopper'' program.

(3) In any case where it appears that cheating has occurred or is occurring, the Board or its designee may summarily expel the candidate involved from the examination or move the candidate to a position in the examination center away from other examinees.

(4) In any case where the Board or its designee believes that it has evidence that a candidate has cheated on the examination, it shall conduct an investigation. Such investigation may include hearings conducted in accordance with Chapter 54 of the Connecticut General Statutes.

(5) Whenever the Board or its designee determines that a candidate has cheated on the examination, a hearing shall be conducted in accordance with Chapter 54 of the Connecticut General Statutes. Such remedy may include, but need not be limited to:

(A) Full or partial invalidation of credit for any session of the examination completed for that session;

(B) Permanently or temporarily barring the candidate from taking all, or any of the section of the examination.

(6) Whenever the Board or its designee determines that a candidate has cheated on the examination, it shall notify the national candidate database, the American Institute of Certified Public Accountants, and the test center where the examination was administered.

(7) The Board or its designee shall provide information to any State Board of Accountancy, concerning its finding its finding and actions in such cases when a candidate has applied to take the CPA examination in such other state.

(j) **Scheduling changes**. The Board or its designee may postpone scheduled examination, the release of grades, or the issuance of certificates due to:

(1) A breach of examination security;

(2) Unauthorized acquisition or disclosure of the contents of an examination; or

(3) Suspected or actual negligence, errors, omissions, or irregularities in conducting an examination.

(Adopted, effective April 21, 1995; amended April 29, 2005, April 29, 2008, September 9, 2008)

Sec. 20-280-24. Experience

(a) **Amount of experience.** An applicant for an initial certificate shall have the following experience:

(1) Three years if the applicant first took the examination required by subsection (e) of section 20-281-21 of the Regulations of Connecticut State Agencies prior to January 1, 2000 and possesses the educational qualifications set forth in section 20-280-23 of of the Regulations of Connecticut State Agencies but does not possess the educational qualifications set forth in section 20-280-22 of the Regulations of Connecticut State Agencies.

(2) In all other cases, two years.

(b) **When experience can be obtained.** For experience to be credited toward the satisfaction of the requirements of this section, such experience shall have been obtained no earlier than 10 years prior to the date of reciept by the Connecticut Board of Accountancy (the ''Board'') of a complete application for initial certification.

(c) **Verification of experience.**

(1) For experience to be credited toward the satisfaction of the requirements of this section, such experience shall be verified, in such form as the Board may require, by a person acting in one of the following capacities in relation to the applicant:

(A) As a supervising certified public accountant holding a valid certified public accountant certificate for no less than three years prior to the verification of such experience;

(B) As a supervising public accountant holding a public accountant license for no less than 3 years prior to the verification of such experience;

(C) As human resources personnel, at the direction of a supervising certified public accountant holding a valid certified public accountant license for no less than 3 years prior to verifying such experience;

(D) As human resources personnel at the direction of a supervising public accountant holding a valid public accountant license for no less than 3 years prior to verifying such experience; or

(E) As an auditor of public accounts for the state of Connecticut for an applicant whose experience was obtained, in whole or in part, while employed by the Office of the Auditors of Public Accounts if no one who had held a certified public accountant license or a public accountant license for three years was in a supervisory capacity over said applicant.

(2) The Board may require an interview of an applicant and an inspection of working papers, reports and other documentation relating to the applicant's claimed experience. Such inspection may, at the option of the Board, be conducted at the Board's office or at such other location as the Board may designate, in which case any person having custody of such documentation shall produce it upon request of the Board. All verifications relative to experience shall be made under penalty of perjury.

(d) **Computation of time.** In computing experience for the purpose of this section, the Board shall consider thirty-five (35) hours per week as full-time employment. If an applicant worked in excess of thirty-five (35) hours in any one week, he or she shall receive a maximum of one week's full-time employment credit. The Board may accept part-time employment in satisfaction of the experience requirement, provided no credit shall be given for part-time employment for any week in which the applicant has worked for less than twenty (20) hours. The Board shall convert all part-time employment claimed for credit into full-time employment equivalents on the basis of a thirty-five (35) hour week. One year of experience shall consist of fifty-two (52) weeks and shall include vacation, holidays, and time for illness not to exceed two-hundred and forty (240) hours in the aggregate.

(e) **Qualifying experience.** The applicant shall demonstrate to the satisfaction of the Board that he or she has experience consisting of having provided services or advice involving the use of accounting, attest, management advisory, tax or con-

sulting skills all of which was supervised by a licensed certified public accountant or public accountant unless otherwise specified. Such experience shall be obtained in the following categories, or any combination thereof:

(1) Public Practice: Experience may be gained through employment as a staff accountant of a firm of certified public accountants where such experience is of a non-routine accounting nature, such that it requires independent thought and judgment on accounting matters. The work shall have involved application of appropriate technical and behavioral standards such as the standards contained in the Code of Professional Conduct, Generally Accepted Accounting Principles (GAAP), including International Financial Reporting Standards promulgated by the International Accounting Standards Board; Generally Accepted Auditing Standards (GAAS), including those auditing standards promulgated by the Public Company Accounting Oversight Board (PCAOB); Statements on Standards for Attestation Engagements (SSAE); Statements on Standards for Accounting and Review Services (SSARS); the Statement on Standards for Tax Services (SSTA) or the Statements on Standards for Management Consulting Services (SSMCS), collectively known as ''the Professional Standards'', as defined by the American Institute of Certified Public Accountants (AICPA).

Examples of work qualifying under this subsection include, but are not limited to:

(A) review and evaluation of internal control policies and procedures;

(B) testing of compliance with internal control policies and procedures;

(C) preparation of working papers or electronic documentation in connection with elements of work accomplished;

(D) planning, revision or updating of audit programs to be followed;

(E) drafting or reviewing memoranda, conclusions, notes;

(F) preparation or analysis of financial statements or reports;

(G) performance of procedures for the verification of the following kinds of accounts: accounts receivable; inventory accounts, including valuation and physical verification; bank accounts; investment accounts; fixed asset accounts, including depreciation; intangible assets; accounts payable, accrued liabilities; reserves, in accordance with specific industry requirements; unrecorded liabilities; and appropriate analytical review of revenues and expenses;

(H) review and preparation of tax provisions and reserves including research for determination of tax provision and related tax reserves, research for determination of taxable earnings and profits, reconciliation of books to tax return adjustments, review of tax returns to determine adequacy of income tax reserves, analysis of tax positions taken in making judgments affecting tax provisions and reserves;

(I) preparation of financial statements from accounting records without audit and the preparation of related tax returns; performance of other related services requiring a knowledge of Generally Accepted Accounting Principles (GAAP); tax related activities; review of financial projections; accountings for estates and fiduciaries;

(J) preparation of books of original entry, preparation of payrolls, checks, payroll tax reports, sales and similar tax returns, posting to subsidiary ledgers; or

(K) design and installation of accounting, cost or other systems when not related to an extension of auditing assignments; other management advisory services.

(2) Government practice: Experience may be gained through employment with accounting agencies or within federal, state or municipal government where such experience is of a non-routine accounting nature, such that it requires independent thought and judgment on accounting matters. The applicant shall obtain experience in assessing the adequacy of the agency's internal controls by developing an understanding of the accounting agency transaction processes and information systems. Such experience includes obtaining an understanding of the areas or industries with which the applicant's agency operates, including the operations of similar service providers. The Board will review on a case-by-case basis, experience that does not clearly match the following categories of government employment:

(A) employment in state government as an accountant or an auditor;

(B) employment in federal government as an accountant or auditor at a GS-7 level or higher;

(C) employment as a special agent in accounting with the Federal Bureau of Investigations;

(D) military service as an accountant or auditor; and

(E) employment with other government entities, including, but not limited to municipalities, as an accountant or auditor.

(3) Industry: Experience may be gained in industry where such experience is of a non-routine accounting nature such that it continually requires independent thought and judgment on accounting matters. The applicant shall obtain experience in assessing the adequacy of the employer's internal controls by developing an understanding of the employer's transaction processes and information systems. The applicant shall also obtain experience in tax return preparation and research, preparation and analysis of financial statements, cost accounting, budgeting, and the application of accounting principles. Such experience includes obtaining an understanding of the industry in which the applicant's employer operates, including the employer's competition and key competitiveness factors that affect the industry. Professional services performed under this category include any service offered in the course of practicing public accountancy, as defined in section 20-279b of the Connecticut General Statutes, even though such services are not offered to the public.

(f) **Content of experience**: In order to be granted an initial certificate, the applicant shall demonstrate that the experience gained in the categories specified in this section included:

(1) understanding of the Code of Conduct promulgated and adopted by the Board;

(2) the ability to assess the achievement of an entity's objectives by demonstrating knowledge of various business organizations, understanding of the goals and objectives of various business entities, the ability to develop and analyze factors, and understanding of the economic and regulatory trends that affect an entity's environment;

(3) experience in preparing documentation that includes sufficient relevant data to support the analysis and conclusions required and reflected in the applicant's work;

(4) experience in preparation and analysis of financial statements together with explanations and notes thereon; and

(5) understanding transaction processes and information systems, including the ability to understand how individual transactions aggregate at the organizational level, to infer how transactions effect the organization as a whole, and to evaluate the integrity and reliability of various client information systems, including relevant computer aspects.

(g) **Non conforming experience: Petitioning the Board.**

An applicant who wishes to submit experience to support his or her application for an initial certified public accountant certificate, which does not match the scope and breadth set forth above, including, but not limited to, experience gained as an instructor at a college or university, shall bear the burden of proof to demonstrate that the experience submitted is of sufficient quality and diversity to fulfill the requirements in subsection (e) of this section.

(h) **Evidence of applicant's experience.**

(1) Any licensee who has been requested by an applicant to submit to the Board evidence of the applicant's experience and has refused to do so shall, upon the request of the Board, explain in writing or in person the basis for such refusal.

(2) Any licensee who has furnished evidence of an applicant's experience to the Board shall, upon request by the Board, document the information in writing, by exhibit, in person, or by a combination thereof.

(3) Any applicant may be required to appear before the Board or its representative(s) to respond to questions or to supplement or verify evidence of experience in writing, by exhibit, in person or by a combination thereof.

(4) The Board may require inspection of any and all documentation relating to an applicant's claimed experience including, but not limited to, any underlying tax returns, financial statements, work papers or other documentation. The inspections may be made at the Board offices or, at Board option, at any other locations that the Board may designate. A licensee in custody of the requested documentation shall produce such documentation upon request. All documents made available to the Board pursuant to this section, shall remain protected by all applicable confidentiality and privileges.

(i) **Additional ongoing experience requirements for licensees who perform or supervise attest or compilation services and who sign or authorize another to sign reports on financial statements.**

Any individual licensee who performs or is responsible for supervising attest or compilation services or who signs or authorizes another person to sign reports on financial statements on behalf of the firm shall meet the following additional requirements:

(1) Certified public accountant license. The individual shall hold a current valid license to practice public accountancy, in good standing, issued by the Connecticut State Board of Accountancy or by a State Board of Accountancy located in jurisdiction designated by the National Association of the State Boards of Accountancy as substantially equivalent.

(2) Competency. The individual shall meet the competency requirements set forth in the Statements on Quality Control Standards contained in the Professional Standards issued by the AICPA; and

(3) Continuing professional education. The individual shall earn 16 hours of the 40 hours of continuing professional education, required pursuant to section 20-280-25 (a) of the Regulations of Connecticut State Agencies, in the subject area of attest or compilation services.

(Adopted, effective April 21, 1995; amended October 31, 1996, September 24, 2009)

Continuing Education and Requirements for Renewal of a Certified Public Accountant or a Public Accountant License

Sec. 20-280-25. Renewal of license and continuing professional education requirement

(a) A license issued under Chapter 389 of the general statutes shall be valid for a period of one year from January 1 to December 31. Each certified public accountant and each public accountant who holds such a license shall annually apply for renewal of such license by December 31. An application for renewal which is filed electronically, postmarked or otherwise received after such December 31, but prior to February 1, shall be accepted as a late application for renewal. An application for renewal which is filed electronically, postmarked or otherwise received on or after such February 1 shall be rejected and the license shall lapse. As a condition precedent to renewal of such license, each applicant shall complete forty (40) hours of continuing professional education, complying with these regulations, during the period from July 1 through June 30, immediately preceding each such December 31, and shall report completion of such continuing education as required by these regulations by such December 31.

(b) Certified public accountants shall be exempt from the continuing professional education requirement for the initial period of July 1 to June 30 during which they were first licensed.

(c) Extensions, waivers or adjustments to the mandatory continuing professional education requirement may be granted for reasons of health certified by a physician, an extended active duty of armed forces or other good cause acceptable to the board.

(d) The holder of a certificate whose license has lapsed may reinstate his license by submission of an application on such form as the board may require which demonstrates that the applicant meets all requirements for renewal including continuing professional education requirements for the year immediately preceding the submission; provided that an applicant who has not held a valid license within five years prior to his application for reinstatement shall also meet such additional requirements, including but not limited to additional continuing professional education, as the board may impose.

(e) The holder of a certificate whose license has been reinstated, pursuant to the preceding subsection, during the months of January through July need not complete or report on the completion of any additional continuing professional education credits during the current continuing professional education year.

(f) The applicant for renewal of a license shall submit a signed application prescribed by the board, together with the fee prescribed by statute.

(g) Twenty hours of credit in excess of the minimum mandatory forty hours may be transferred from the preceding year to the subsequent year.

(h) Each license holder shall meet an ethics requirement of 4 hours every three years. Such requirement may be met through any course covering ethical behavior and the understanding of State and National Code of Conduct, Professional Conduct and State Licensing Regulations.

(Adopted, effective March 19, 1996; amended December 2, 2005)

Sec. 20-280-26. Delineation of qualifying continuing professional education programs

(a) Terms used in sections 20-280-25 through 20-280-27, inclusive, of these regulations shall be defined as follows:

(1) ''Continuing professional education year'' (''CPE year'') means a period commencing on July I and ending on June 30 of the succeeding year.

(2) ''Acceptable CPE credit'' means credit for programs which are determined by the board to meet the requirements of these regulations and which are properly reported to the board under the provisions of these regulations.

(3) ''Acceptable formal education'' means formal programs of learning which contribute to professional competence to practice public accounting and which meet the standards prescribed by these regulations.

(4) ''License'' means the license issued under section 20-281d of the general statutes.

(5) ''Program'' means both formal group and formal self-study programs.

(6) ''Group program'' means an educational process designed to permit a participant to learn a given subject through interaction with an instructor and other participants. If a program complies with the standards in these regulations, it becomes a ''formal'' group program.

(7) ''Self-study program'' means an educational process designed to permit a participant to learn a given subject without major interaction with an instructor, and where the sponsor of the program must provide the participant with a certificate upon evidence of satisfactory completion, such as an examination, and must comply with the standards in these regulations.

(8) ''Instructional design'' means a teaching plan that considers the organization and interaction of the materials as well as the method of presentation such as lecture, seminar, workshop, or programmed instruction.

(9) ''Interactive self-study programs'' means programs designed to use interactive learning methodologies that simulate classroom learning processes by employing

software, other courseware or administrative systems that provide significant ongoing interactive feedback to the participant regarding his learning process.

(b) The overriding consideration in determining whether a specific program qualifies as acceptable continuing professional education is that it be a formal program of learning which contributes directly to the professional competence of an individual licensed to practice public accounting under the provisions of Chapter 389 of the General Statutes and these regulations. The following shall qualify as acceptable continuing education programs, provided the standards set forth in these regulations are maintained:

(1) Professional development programs of recognized national and state accounting organizations.

(2) Technical sessions at meetings of recognized national and state accounting organizations and their chapters or other subdivisions.

(3) Courses in subject matters included in subsection (c) of this section, taken at universities or colleges which are accredited by the Regional Accrediting Commission subscribing to the national policies and procedures established by the Federation of Regional Accrediting Commissions of Higher Education, or a university or college of equivalent accreditation as determined by the Board,

(4) Formal organized in-firm educational programs.

(5) Programs of other accounting, industrial or professional organizations which are recognized by the Board.

(6) Formal correspondence or other individual study programs which require registration and provide evidence of satisfactory completion.

(c) The following general subject matters are acceptable so long as they contribute to the professional knowledge and competence of the applicant:

(1) Accounting and Auditing

(2) Taxation

(3) Management Science

(4) Computer Science

(5) Communications Arts

(6) Mathematics, Statistics, Probability, and Quantitative Applications in Business

(7) Economics

(8) Business Law

(9) Functional Fields of Business, including Finance, Production, Marketing, Personnel Relations, and Business Management and Organization

(10) Behavioral Science

(11) Social Environment of Business

(12) Specialized Areas of Industry;

(13) Management of an Accounting Practice; e.g., Engagement Letters, Fee Structures, Personnel, etc.

(14) Courses in such other disciplines as may be acceptable to the state board of accountancy. Areas other than those listed above may be deemed acceptable if the applicant can demonstrate to the board that they contribute to his professional competence. The responsibility for substantiating that a particular program is acceptable and meets the requirements of these regulations rests solely upon the applicant.

(d) The following standards for development of continuing professional education programs must be met to insure acceptance of the program for credit:

(1) The program should contribute to the professional competence of participants.

(2) The objectives of the program should be stated and should specify the level of knowledge the participant should have obtained or the level of competence he should be able to demonstrate upon completing the program.

(3) The education or experience prerequisites for the program should be stated.

(4) Programs should be developed by individuals qualified in the subject matter and in instructional design.

(5) Program content should be current.

(6) Programs should be reviewed by a qualified person(s) other than the preparer(s) to ensure compliance with the above standards.

(7) Sponsors are the organizations responsible for presenting programs but are not necessarily program developers. It is the responsibility of sponsors to see that their programs comply with all the standards of these regulations.

(e) The following standards for presentation of continuing professional education programs must be met to insure acceptance of the program for credit:

(1) Participants should be informed in advance of objectives, prerequisites, experience level, content, advance preparation, teaching methods, and CPE contact hours credit.

(2) Instructors should be qualified both with respect to program content and teaching methods used. A qualified instructor or discussion leader is anyone whose background, education or experience makes it appropriate for him to lead a discussion on the subject matter of the particular program. The program sponsor has the obligation for selecting and assigning qualified instructors for the continuing professional education credits claimed by participants to be accepted by the board.

(3) Program sponsors should encourage participation only by individuals with appropriate education and/or experience.

(4) The number of participants and physical facilities should be consistent with the teaching method (s) specified.

(5) All programs should include some means for evaluating quality.

(6) In order to support the reports that may be required of participants, the sponsors of group or self-study programs should retain for three years

(A) appropriate records of attendance or participation,

(B) outline of the course,

(C) date(s),

(D) location,

(E) instructor (s), and

(F) number of CPE contact hours.

(f) The following standards are applicable for measuring credit for continuing professional education programs: (1) All programs should be measured in terms of fifty-minute contact hours. The shortest recognized program should consist of one contact hour. Only contact hours are allowed. Preparation time can be claimed only if the participant was required to provide evidence of having completed the advance preparation and the program sponsored monitored and collected such evidence and recorded such fact on the attendance record. Travel time cannot be claimed. A participant must attend substantially an entire course to be granted entire credit for the course. If a record of registration and attendance is not maintained by the sponsor, the participant must be able to prove registration and attendance.

(2) When an instructor or discussion leader serves at a program for which participants receive CPE credit and at a level that contributed to his or her professional competence, credit should be given to him for preparation and presentation time measured in terms of contact hours. For the first time they present a program, instructors or discussion leaders should receive contact hour credit for actual preparation hours up to 2 times the class contact hours. For repetitious presentations the instructor or discussion leader should receive no credit unless he can demonstrate that the subject matter involved was changed sufficiently to require significant additional study or research. Credit for presentations and/or preparations may not exceed twenty (20) hours in any CPE year.

(3) The amount of credit to be allowed for formal self-study programs, as defined in subsection (a) of this section, including taped study programs, is to be recommended by the program sponsor based upon the average completion time under appropriate ''field tests''. Applicants claiming credit for such formal self-study programs are required to obtain evidence of satisfactory completion of the program

from the sponsor. Credit will be allowed in the CPE year in which the program is completed.

(4) Credit may be claimed for published articles and books provided they contribute to the professional competence of the applicant. The amount of credit so awarded will be determined by the board. Credit for preparation of such publications may be given on a self-declaration basis up to ten (10) hours in any CPE year. In exceptional circumstances an applicant may be allowed additional credit by submitting the article(s) or book (s) to the board with an explanation of the circumstances which may justify a greater credit.

(5) Credit for courses at accredited universities or colleges will be allowed as follows:

(A) Graduate-level credit courses:

(i) Fifteen (1 5) hours for each credit hour of a semester course.

(ii) Twelve (12) hours for each credit hour of a trimester course.

(iii) Ten (10) hours for each credit hour of a quarter course.

(B) Undergraduate-level credit course:

(i) Seven and one-half (7 1/2) hours for each credit hour of a semester course.

(ii) Six hours for each credit hour of a trimester course.

(iii) Five (5) hours for each credit hour of a quarter course.

(C) Non-credit courses: credit shall be allowed provided the course meets the standards set forth in subsection (b) above.

(Adopted, effective March 19, 1996; amended December 2, 2005)

Sec. 20-280-27. Control and reporting of continuing professional education credit

(a) All holders of licenses issued under chapter 389 of the general statutes shall file with the board by July 31 of each year, a statement, signed under penalty of false statement, on forms prescribed by the board, listing the continuing professional education programs completed and the number of credits claimed, showing for each program:

(1) Sponsoring organization.

(2) Address of location of program.

(3) Title of program or description of content.

(4) Dates attended.

(5) Type of program.

(6) CPE hours claimed.

Applicants must retain, for at least three (3) years from the date the program is completed, documentation of their participation in and satisfactory completion of all programs claimed.

(b) In order to support the reports that may be required of participants, the sponsor of group or self-study programs should retain for at least three years

(1) appropriate records of attendance or participation,

(2) outline of the course (or equivalent),

(3) date(s),

(4) location,

(5) names and qualifications of instructors, and

(6) number of CPE contact hours.

(Adopted, effective March 19, 1996; amended December 2, 2005)

Sec. 20-280-28. Conversion of a public accountant license to a certified public accountant certificate and license

(a) The Board shall issue a certified public accountant certificate and license to an individual licensed by the Board as a public accountant who meets all of the following requirements:

(1) The public accountant files an application with the Board for the conversion of the public accountant license to a certified public accountant certificate and license;

(2) At the time of application for conversion to a certified public accountant certificate and license, the public accountant holds a valid public accountant license issued by the Board;

(3) At the time of application for conversion of a public accountant license to a certified public accountant certificate and license, any public accounting firm that employs the public accountant or in which the public accountant has an interest holds a firm permit, issued by the Board, and meets the quality review requirements of section 20-281 of the Connecticut General Statutes and section 20-281 of the Regulations of Connecticut State Agencies; and

(4) The public accountant has completed all continuing education hours required pursuant to section 20-281d of the Connecticut General Statutes and sections 20-280-26 through 20-280-27 of the Regulations of Connecticut State Agencies.

(b) Upon Board approval of the application for conversion from a public accountant license to a certified public accountant certificate and license and receipt of notification of such approval, the licensee shall not use the title or designation ''public accountant'' or the abbreviation ''PA'' or any other title, designation, word, letters, abbreviation, sign, card, or device tending to indicate that such a person is a public accountant, and shall only use the title or designation ''certified public accountant'', or the abbreviations ''CPA'', or any other title, designation, words, letters, abbreviation, sign, card, or device tending to indicate that such person is a certified public accountant, in accordance with section 20-281g of the Connecticut General Statutes and section 20-280-20 of the Regulations of Connecticut State Agencies.

(c) The application fee for conversion of a public accountant license to a certified public accountant certificate and license under this section shall be the same as the fee charged by the Board for the issuance of an initial certified public accountant certificate without additional charge for the certified public accountant license.

(Adopted effective December 6, 2007)

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Require That Permit Holders, as a Condition for the Renewal of a Permit to Practice, Undergo a Quality Review

Sec. 20-281-1. Definitions

Terms, as used in these regulations, mean:

(1) ''Multi-Jurisdictional Permit Holder,'' means a firm holding a permit to practice public accountancy in Connecticut and holding a similar permit or authority to practice in one or more other jurisdiction;

(2) ''Permit Holder,'' means a sole proprietorship, partnership or corporation holding or required to hold a permit to practice pursuant to Conn. Gen. Stat. § 20-281;

(3) ''New Permit Holder,'' means a holder of a permit to practice which has not been previously registered in this state, including a permit holder required to obtain a permit to practice as a result of participation in a merger, consolidation, acquisition or other form of combination; but does not include a permit holder which has been previously registered and changes its name due to the addition, death, withdrawal, or retirement of a partner or shareholder, or changes its name due to a change in the legal form of its practice;

(4) ''Year of Review,'' means the calendar year during which a quality review is to be conducted;

(5) ''Year Under Review,'' means the calendar year prior to the year of review.

(Effective May 16, 1990)

Sec. 20-281-2. Requirement for quality review—areas to be reviewed

(a) Every permit holder, as a condition of renewal of its permit pursuant to C.G.S. § 20-281, must undergo a quality review in accordance with these Regulations to determine and report on the degree of compliance by permit holders with generally-accepted accounting principles, generally-accepted auditing standards, and other similarly recognized authoritative technical standards. The quality review will include the financial reporting areas of practice, including audit engagements, review engagements, and compilation engagements of both historical and prospective financial information.

(b) It is the obligation of the permit holder to take all steps necessary to undergo quality review when scheduled and to submit the report thereon to the Board as required by these Regulations. Failure of the permit holder to receive any notice required or permitted by these Regulations shall not excuse a permit holder from its obligation to undergo quality review, and to file the report thereon to the Board as required under these Regulations.

(Effective May 16, 1990)

Sec. 20-281-3. Scheduling of quality review

The first year of review begins on January 1, 1991. By December 1, 1990, the Board shall divide all permit holders into three groups and schedule one group to undergo quality review during 1991, another group to undergo quality review during 1992, and the other group to undergo quality review during 1993. Each permit holder shall undergo quality review during the year scheduled and every third calendar year thereafter. The Board shall mail to the permit holders, at their addresses as last shown on the records of the Board, notice of the year during which they must undergo quality review.

(Effective May 16, 1990)

Sec. 20-281-4. Rescheduling year of review

By February 1st of its year of review, or at such later time as the Board, in its discretion, for good cause shown may allow, a permit holder may submit to the

Board a request to reschedule its year of review. The Board may, in its discretion, grant a request to reschedule a permit holder's year of review if it finds that said permit holder has undergone within two (2) calendar years before, or has entered into a binding commit to undergo within two (2) calendar years after the presently-scheduled year of review, a review equivalent to the one required by these Regulations. If such a rescheduling is granted, the permit holder will undergo subsequent quality reviews every three (3) years after that rescheduled year of review. The application shall be in writing and under oath and shall set forth the name and permit number of the permit holder, the presently-scheduled year of review, the proposed rescheduled year of review, the date of the last quality or equivalent review, a copy of the final opinion letter issued by the reviewer as a result of that review, a statement of basis upon which rescheduling is sought, and, if the request is based upon the fact that the permit holder will undergo a review in the future, the date when that review will be held and documentation that demonstrates to the satisfaction of the Board that the permit holder has made a binding commitment to undergo such a review when stated. The Board may require the permit holder to supply such additional information and documentation as it deems necessary or desirable in evaluating such a request.

(Effective May 16, 1990)

Sec. 20-281-5. New permit holders

A new permit holder, as a condition of renewal of its permit, must undergo a quality review during the first calendar year after it has been engaged in the practice of public accountancy for one full calendar year. After the initial quality review, the new permit holder shall undergo a quality review every three years thereafter.

(Effective May 16, 1990)

Sec. 20-281-6. Selection of quality reviewer

A permit holder scheduled for quality review shall engage, subject to approval of the Board, a reviewer to conduct the quality review. A permit holder subject to review shall submit to the Board, in writing, by March 1 of the year of review the name of the reviewer or reviewers who will conduct the quality review and evidence establishing that all reviewers meet the qualifications set forth in section 20-281-7 and will conduct the quality review in accordance with section 20-281-8 and section 20-281-9. If a permit holder scheduled for quality review fails to notify the Board of its selection by March 1, the Board shall select a reviewer to conduct the quality review and notify the permit holder of the selection by April lst; provided, however, that failure of the Board to select a reviewer as provided in this sentence shall not excuse a permit holder from its obligation to undergo quality review, and file the report thereon with the Board as required under these Regulations. The permit holder subject to quality review, whether it selects the reviewer or not, must engage the reviewer chosen or approved by the Board and file a copy of the letter or contract of engagement with the Board by May 15 of the year of review.

(Effective May 16, 1990)

Sec. 20-281-7. Qualifications of quality reviewer

Quality reviewers must have the following minimum qualifications:

(1) knowledge of and experience with the type of engagements to be reviewed, including experience in supervision of the preparation of reports and financial statements in connection with such engagements;

(2) independence of the permit holder under quality review;

(3) no conflict of interest;

(4) familiarity with all specialized services in the area of auditing and accounting provided by the permit holder subject to review; and

(5) familiarity with the procedures for conducting a quality review in accordance with the standards set forth in section 20-281-8 and section 20-281-9, and competence in performing such quality reviews.

(Effective May 16, 1990)

Sec. 20-281-8. Conduct of review

Quality review shall be conducted as follows:

(1) In the case of a permit holder which performed one or more audits during the year under review, quality review shall include a study and evaluation of audit, review and compilation reports, the financial statements upon which those reports were based and the associated working papers, and shall include procedures sufficient to provide the quality reviewer with a reasonable basis upon which to issue a report as required by subsection (a) of section 20-281-9 of these Regulations;

(2) In the case of a permit holder which performed no audit engagements, but did perform one or more review engagements or one or more compilation engagements during the year under review, quality review may be limited to a study and evaluation of review and compilation reports and the financial statements upon which those reports were based, and need not include a study of the associated working papers, but shall include procedures sufficient to provide the quality reviewer with a reasonable basis upon which to issue a report as required by subsection (b) of section 20-281-9;

(3) The reviewer shall select the engagements to be reviewed.

(4) The quality review shall be limited to reports with a year end date within the year under review.

(5) Quality review shall be performed in accordance with a comprehensive set of standards for such reviews generally recognized in the profession as authoritative.

(Effective May 16, 1990)

Sec. 20-281-9. Results of review

(a) In the case of a permit holder which performed one or more audit engagements during the year under review, upon completion of the review, the reviewer shall issue a report which, at a minimum, shall consist of an opinion letter setting forth the scope of the quality review, including any limitations thereon; identifying the comprehensive set of standards under which the quality review was performed; stating an opinion on whether, during the year under review, the system of quality control for the accounting and auditing practice of the permit holder under quality review met the objectives of quality control standards generally recognized in the profession as authoritative, and whether that system of quality control was being complied with so as to provide the permit holder with reasonable assurance of conforming with professional standards. That opinion letter shall also describe the reason(s) for any modification, qualification or limitation of the opinion set forth in subsection (c) of this section.

(b) In the case of a permit holder which performed no audit engagements, but did perform one or more compilation engagements or one or more review engagements during the year under review, upon completion of the quality review, the quality reviewer shall issue a report which, at minimum, consists of an opinion letter describing the limited scope of the quality review and disclaiming an opinion or any form of assurance about the permit holder's quality control policies and

procedures for its accounting practice; identifying the comprehensive set of standards under which the quality review was conducted; stating whether anything came to the quality reviewer's attention that caused the quality reviewer to believe that the review or compilation reports submitted for quality review did not conform with the requirement of professional standards in all material respects; and, if applicable, that opinion letter shall describe the general nature of significant departures from professional standards disclosed by the quality review; and also, if the departures from professional standards disclosed by the quality review are sufficiently numerous or serious, the opinion letter shall set forth the quality reviewer's conclusion that the permit holder did not have reasonable assurance of conforming with professional standards in the conduct of its accounting practice during the year under review.

(c) In the case of a permit holder which performed one or more audits during the year under review, an ''unqualified'' report shall be any report in which the quality reviewer expresses the opinion that the system of quality control for the accounting and auditing practice of the permit holder met the objectives of quality control stards generally recognized in the profession and was being complied with during the year reviewed so as to provide the permit holder with reasonable assurance of conforming with professional standards.

(d) In the case of a permit holder which performed one or more audits during the year under review, any report which sets forth an opinion other than the opinion described in subsection (c) of this section or which qualifies, limits or changes that opinion shall be a ''modified report.''

(e) In the case of a permit holder which performed no audit engagements, but did perform one or more review engagement or one or more compilation engagement during the year under review, an ''unqualified'' report shall be a report which states that nothing came to the quality reviewer's attention that caused the quality reviewer to believe that the review or compilation reports submitted for review did not conform with the requirements of professional standards in all material respects.

(f) In the case of a permit holder which performed no audit engagements, but did perform one or more review engagements or one or more compilation engagements during the year under review, any report which sets forth a statement other than the one described in subsection (e) of this section or which limits, qualifies or changes that statement shall be a ''modified'' report.

(g) The quality reviewer may also issue to the permit holder under review, if appropriate, a letter of comments suggesting any areas where improvement can be made. Said letter of comments shall not be filed with the Board.

(h) The permit holder shall file the final opinion letter issued by the quality reviewer with the Board within thirty (30) days after the receipt of that report.

(Effective May 16, 1990)

Sec. 20-281-10. Procedure in case of a modified report

(a) If the report issued as a result of a quality review is ''unqualified,'' the Board shall take no further action, provided that the quality review was conducted in accordance with these Regulations. If such report is ''modified,'' the Board may require the permit holder subject to quality review to submit an affidavit indicating that the remedial action suggested by the quality reviewer has been completed.

(b) If the Board finds that a quality review was not performed in accordance with these Regulations or if the Board finds that the departures from professional standards disclosed by a report are serious or numerous, in addition to any other action permitted by law, the Board may, in its discretion, require the permit holder to undergo additional quality reviews at such times and on such terms as the Board

may determine; and, in the case of a permit holder which had undergone a quality review as required by subsection (a) (2) of section 20-281-8, the Board may require such permit holder to undergo a quality review as required by subsection (a) (1) of section 20-281-8.

(Effective May 16, 1990)

Sec. 20-281-11. Review of multi-jurisdictional permit holder

(a) With respect to a multi-jurisdictional permit holder, the Board may accept a quality review based solely upon work conducted outside of this state as satisfying the requirement to undergo quality review under these Regulations, if:

(1) the quality review is conducted during the year scheduled under Sec. 20-281-3 or Sec. 20-281-5, or rescheduled under Sec. 20-281-4; and

(2) the quality review is performed in accordance with requirements equivalent to those of this state under the general supervision of a State Board of Accountancy or other agency of government having the power to license accountants;

(3) the quality review studies, evaluates and reports on the financial reporting practice of the firm as a whole; and

(4) At the conclusion of the quality review, the quality reviewer issues a report equivalent to that required by section 20-281-9 of these Regulations.

(b) A multi-jurisdictional permit holder not granted approval under subsection (a) of this section, shall undergo quality review pursuant to these Regulations which shall study, evaluate and report on the financial reporting practice of said multi-jurisdictional permit holder within this state.

(c) A multi-jurisdictional permit holder seeking approval under subsection (a) hereof shall submit an application to the Board by February lst of the year of review establishing that the quality review it proposes to undergo meets all of the requirements of said subsection (a).

(d) All multi-jurisdictional permit holders shall submit quality review reports to the Board as required by subsection (h) of section 20-281-9.

(Effective May 16, 1990)

Sec. 20-281-12. Waiver

(a) The Board, in its discretion, may grant a permit holder a waiver of the requirement of undergoing a quality review for any one of the following reasons:

(1) (A) The permit holder does not engage in financial reporting areas of practice, including audits, compilations and reviews; and

(B) The permit holder does not intend to engage in any of said financial reporting areas of practice during the next year; and

(C) The permit holder agrees to notify the Board that it has begun to engage in financial report practice immediately upon its acceptance of a single audit engagement, or review engagement, or compilation engagement;

(2) Health;

(3) Military service;

(4) The conduct of a quality review will create individual hardship;

(5) There exists other good cause, as the Board may determine.

(b) Requests for waivers shall be in writing and under oath, and shall be upon forms which the Board shall provide for that purpose.

(c) Requests for waivers shall be submitted with a permit holder's application for renewal of its permit to practice or as soon as practicable after the circumstances arise which are the basis for the request.

(d) Any permit holder which has been granted a waiver pursuant to subsection (a) (1) of this section shall immediately notify the Board upon accepting a financial reporting engagement, including an audit engagement, a compilation engagement, or a review engagement. Such permit holder shall undergo quality review during the first calendar year after accepting the first such financial reporting engagement.

(e) Any permit holder which has been granted a waiver pursuant to subsections (a) (2) through (a) (5), inclusive, shall immediately notify the Board when the basis upon which such waiver was granted has ceased to exist. When the circumstances upon which such a waiver was granted cease to exist, the Board may require the permit holder to undergo a quality review at such time as the Board deems appropriate.

(f) A waiver shall only be effective for the calendar year for which it has been granted.

(g) If the Board finds that a waiver was improperly obtained or that the circumstances upon which the waiver was granted no longer exist, it may revoke the waiver and order the permit holder to undergo a quality review at such time as the Board deems appropriate.

(h) A permit holder granted a waiver shall undergo a quality review during the next calendar year, unless a new waiver or rescheduling is granted pursuant to these Regulations.

(Effective May 16, 1990)

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Architectural Licensing Board

Secs. 20-289-1—20-289-6.

Repealed, April 22, 1988.

Sec. 20-289-1a. Definitions

Unless otherwise expressly stated, the following terms have, for the purposes of these regulations, the meanings indicated in this section: (1) ''board'' means Connecticut Architectural Licensing Board; (2) ''candidate'' means a person who has the qualifications for admission to examinations and who has filed with the secretary of the architectural licensing board an application for licensure accompanied by the examination fee; (3) ''construction'' means any new construction, enlargement or alteration of any building or project; (4) ''plans'' means any drawings or graphic representations or any combination of drawings or graphic representations, or reproduction thereof, prepared for the purpose of illustrating proposed or intended designs for the construction; (5) ''specifications'' means detailed statements of particulars for construction; (6) ''licensed architect'' means a person duly licensed as an architect by the board to engage in the practice of architecture; and (7) ''N.C.A.R.B.'' means the National Council of Architectural Registration Boards.

(Effective April 22, 1988; amended December 4, 1998)

Sec. 20-289-2a. Board procedures

(a) **Board Meetings.** In addition to the four regular meetings prescribed by law, the board shall hold additional meetings at the call of its Chairman who shall give due notice of the time and place. Three (3) members of the board shall constitute a quorum for the transaction of business.

(b) **N.C.A.R.B.** (1) The board shall maintain membership in the National Council of Architectural Registration boards and pay the necessary costs therefor.

(2) The board shall keep up to date information on the syllabus and the policies adopted by N.C.A.R.B.

(3) The board shall participate with the N.C.A.R.B. in estaishing uniform standards of professional qualification throughout the United States.

(c) **N.E.C.A.R.B.** (1) The board shall maintain membership in the New England Council of Architectural Registration boards and pay the necessary costs therefor.

(2) The board shall participate with other member boards of the New England Council of Architectural Registration boards for the purpose of establishing like policies and standards among the boards in qualifying applicants for licensing, preparing, conducting and grading examinations, and in giving assistance in the enforcement of laws regulating the practice of architecture.

(d) **Interviews.** The board may, at its discretion, grant informal interviews to clarify questions concerning an applicant or licensee.

(Effective April 22, 1988; amended December 4, 1998)

Sec. 20-289-3a. Application procedures

(a) **Filing.** Application for licensure shall be made on forms obtainable at the office of the board, shall be filled in completely and accompanied by the proper fee. Supplemental applications must be completed in full and include copies of all information which accompanied the original application.

(b) **Eligibility.** Eligibility for admission to the Architect Registration Examination shall be determined by the board after review and verification of information contained in the application. To be eligible for admission to the examination, an applicant must:

(1) up to and including the June 1988 administration of the examination, comply with the provisions for eligibility set forth in Section 20-291 of the general statutes.

(2) subsequent to the June 1988 administration of the examination:

(A) hold a National Architectural Accrediting board (''NAAB'') accredited degree or have satisfied N.C.A.R.B.'s education requirements as specified in the N.C.A.R.B. education standard, as presently in effect, which is incorporated in these regulations by reference, and

(B) have satisfied the N.C.A.R.B. Intern Development Program (I.D.P.) training requirements, as presently in effect.

Copies of the N.C.A.R.B. education standard and the Intern Development Program Training Requirements may be obtained from National Council of Architectural Registration Boards, 1735 New York Avenue, N.W., Suite 700, Washington, DC 20006.

(3) Any individual wishing to be admitted to the examination and unable to satisfy the requirements of Section 20-289-3a(b)(2)(A), may apply to the Board for a determination of his eligibility for admission to the examination. The Board may allow such individual to be admitted to the examination if the Board determines that circumstances exist that warrant said individual's admission to that examination and the individual is determined, by the Board, to possess sufficient credentials in the areas of education, experience and training.

(4) Applicants eligible for admission to the examination prior to, and including, the June 1990 administration of the examination, and who have commenced the examination process, will maintain their eligibility for subsequent administrations of the examination notwithstanding their failure to comply with the requirements of subdivision (2) of this subsection.

(c) **NAAB Accredited Degree.** An NAAB accredited degree is a professional degree in architecture earned in a degree program which has been accredited by the National Architectural Accrediting Board at the time of the applicant's receipt of such professional degree or within two years thereafter.

(Effective April 22, 1988; amended August 26, 1996, December 4, 1998)

Sec. 20-289-4a. Examination procedures

(a) The board shall hold examinations in accordance with the schedule set by N.C.A.R.B.

(b) The examination for candidates who are eligible for admission shall be the current Architect Registration Examination as prepared by N.C.A.R.B. and as accepted by the board.

(c) **Conditions of the examination:**

(1) the board shall determine applicant eligibility and forward eligibility information to N.C.A.R.B.;

(2) the board shall allow applicants to take the architect registration examination at any N.C.A.R.B.-approved test center, whether located within the state of Connecticut or not;

(3) the board shall accept the examination results as determined by N.C.A.R.B. and shall report the results to the applicant;

(4) transfer credits for parts of the examination passed prior to the 1983 Architect Registration Examination shall be as established by the board. Information as to transfer credits will be provided, when appropriate, to candidates as an inclusion with the application forms; and

(5) if an applicant violates any examination rule, the board may, after a hearing, void the results of such examination and prohibit the applicant from taking future examinations, or any part thereof, for a specific period of time.

(d) The fees for the examination shall be as prescribed by Section 20-292 of the general statutes.

(e) After the examination, scores are properly recorded in the permanent record.

(f) Inquiries regarding examinations may be made in accordance with the current N.C.A.R.B. Examination Rules and Regulations. Copies of the N.C.A.R.B. Examination Rules and Regulations may be obtained from National Council of Architectural Registration Boards, 1735 New York Avenue, N.W., Suite 700, Washington, DC 20006.

(g) Whether conducted in this state or another, all records of the examination taken under the provisions of this paragraph, shall be returned to the board where the examination began, for scoring, recording and licensure when successfully completed.

(h) Upon proper application, the board may, at its discretion, accept passing grades achieved on the respective tests, when administered by and attested to by another N.C.A.R.B. Member board. The candidate may then take the remaining parts in Connecticut, and, if successfully completed, the candidate may be licensed by the board.

(i) The board may, upon proper application, forward the grades achieved by a candidate in the various divisions of the examination given under its jurisdiction to other duly constituted architectural registration board for their use in evaluating and utilizing such results in registering the individual within their jurisdiction. The request for such transfer shall include a statement of concurrence by the other board and a description of the information they will require. Such transfer shall terminate the candidate's current application to the board.

(Effective April 22, 1988; amended December 4, 1998)

Sec. 20-289-5a. Admission to examinations

Prior to the start of examinations, the board administrator shall issue letters of admission or rejection thereto to each candidate not previously examined whose examination fee and application for licensure have been received by the board administrator.

(Effective April 22, 1988; amended December 4, 1998)

Sec. 20-289-6a. License procedures

(a) After initial licensure, entries shall be made in the licensee's file recording the license number, date of initial license and the basis upon which the individual was licensed.

(b) A license shall be issued to each licensee upon his initial licensing which shall include the individual's license number. An individual's license and right to practice shall be deemed to commence upon the issuance of said license and license number, and, unless suspended, revoked, cancelled or lapsed, shall remain in effect.

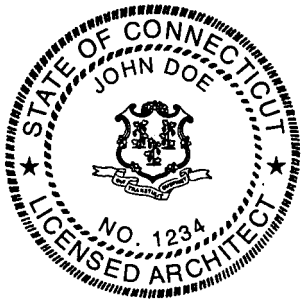
(c) A license card shall be issued to all licensees annually which shall be effective for a period of twelve months from the date shown on the card.

(Effective April 22, 1988)

Sec. 20-289-7. Seals

(a) Each person granted a license shall purchase and use a seal, the design, arrangement, size and wording of which shall conform to that indicated in the figure

below. Each licensee shall file with the board an imprint of all seal types used by the licensee.



(b) Each corporation granted a certificate of authorization for the practice of architecture shall purchase and use an embossing seal, the design, arrangement, size and wording of which shall conform to that indicated in the figure below. The use of a rubber stamp of the same size, design and content as that of the embossing seal is permissible. An imprint of the embossing seal and rubber stamp shall be filed with the board.

(c) A seal and rubber stamp facsimile conforming to the above figures as applicable is approved. Any other seal or rubber stamp, or any variation of the above, is disapproved and shall not be used. Seals may be purchased by the licensee as directed upon receipt of a letter of authorization therefor from the board.

(Effective April 22, 1988; amended December 4, 1998)

Sec. 20-289-8. Lapsed license

(a) A license is deemed lapsed if the holder thereof has failed to pay the secretary of the board the renewal fee as prescribed by statute. The holder of a lapsed license shall not again practice architecture in this state until he has paid to the secretary of the board the renewal fee for each lapsed year and a penalty of five dollars for each lapsed year or fraction thereof after the first sixty days following the date on which the license became lapsed and provided such payment is made within three years of the date on which his license became lapsed. If more than three years have elapsed from the date on which a license became lapsed, the holder thereof shall not again practice architecture in this state until application for licensing, accompanied by the fee for a license and the renewal fees for each lapsed year, has been submitted

to the secretary of the board and same has been approved by the board and the holder of the lapsed license meets the qualifications set forth in subsection (b) hereof. In such a case, the board shall issue a new license number to the applicant.

(b) Notwithstanding the provisions of Section 20-289-3a, applicant whose license has lapsed for a period of three years or more, may be allowed to be licensed if the applicant meets the requirements, which may include an examination requirement, established by the board to ensure that a lapsed licensee possesses sufficient credentials in the areas of education, experience and training.

(c) A certificate of authorization for the practice of architecture shall be deemed lapsed if the corporate holder thereof has failed to pay the secretary of the board the renewal fee as prescribed by statute. The corporate holder of a lapsed certificate of authorization shall not again practice architecture in this state until the secretary of the board has been paid the renewal fee for each lapsed year or fraction thereof after the first sixty days following the date on which the certificate of authorization became lapsed and provided such payment is made within three years of the date on which the certificate of authorization became lapsed. If more than three years have elapsed from the date on which the certificate of authorization became lapsed, the corporate holder thereof shall not again practice architecture in this state until application for certificate of authorization, accompanied by the fee, has been submitted to the secretary of the board and same has been approved by the board. Upon such approval, the corporate holder shall be issued a new registration number.

(Effective April 22, 1988)

Sec. 20-289-9. Partnerships

(a) No firm, company, partnership, association or corporation shall be registered as an architect except as provided in section 20-290 of the general statutes.

(b) A partnership may engage in the practice of architecture provided each member of such partnership is the holder of a license granted by the board.

(c) If one or more of the persons referred to in the partnership name of an architectural firm has been deceased or not actively engaged in the practice of architecture in this state for more than five years, the deceased inactive partners' names shall not be used unless the date or dates of decease or retirement of said partners is properly noted.

(Effective April 22, 1988)

Sec. 20-289-10.

Repealed, December 29, 1981.

Sec. 20-289-10a. Code of ethics

(1) **Competence**

(a) In practicing architecture, an architect shall act with reasonable care and competence, and shall apply the technical knowledge and skill which is ordinarily applied by architects of good standing.

(b) In designing a project, an architect shall take into account all applicable building laws and regulations. An architect shall not knowingly design a project in violation of said laws or regulations.

(c) An architect shall undertake to perform professional services only when he, together with those whom the architect may engage as consultants, are qualified by education, training, and experience in the specific technical areas involved.

(2) **Conflict of Interest**

(a) An architect shall not accept compensation for his services from more than one party on a project unless the circumstances are fully disclosed in writing and agreed to in writing by all interested parties.

(b) If an architect has any business association or direct or indirect financial interest which may influence his judgment in connection with the performance of professional services, the architect shall fully disclose in writing to the client(s) or employer(s) the nature of the business association or financial interest, and if the client(s) or employer(s) object to such association or financial interest, the architect will either terminate such association or interest, or offer to give up the commission or employment.

(c) When acting as the interpreter of building contract documents and the judge of contract performance, an architect shall render decisions impartially, favoring neither party to the contract.

(3) **Full Disclosure**

(a) An architect, making public statements on architectural questions, shall disclose when he is being compensated for making such statement.

(b) An architect shall accurately represent to a prospective or existing client or employer his qualifications and the scope of his responsibilities in connection with work that he has performed.

(c) If, in the course of his work on a project, an architect becomes aware of a decision taken by his employer or client, against the architect's advice, which violates any applicable statute or regulation and materially affects adversely the safety to the public of the finished project, then the architect shall report the decision to the appropriate enforcement officials or refuse to consent to the decision and terminate his service with reference to the project. Said termination shall excuse any liability to the architect's client on account of such termination.

(d) An architect shall not intentionally make a materially false statement or intentionally fail to disclose a material fact requested in connection with his application for licensure or renewal.

(e) An architect shall not assist the application for licensure of a person known by the architect to be unqualified in respect to education, training, experience, or character.

(f) An architect possessing knowledge of a violation of these regulations by another architect shall report such knowledge to the board immediately.

(4) **Compliance with Laws**

(a) An architect shall not, in the conduct of his architectural practice, knowingly violate any state or federal criminal law.

(b) An architect shall neither offer nor make any payments or gifts to a government official with the intent of influencing the official's judgment in connection with a prospective or existing project in which the architect is interested.

(5) **Professional Conduct**

(a) An architect shall not sign or seal drawings, specifications, reports or other professional work unless the architect was in responsible charge of their preparation.

(b) The term ''in responsible charge of their preparation'' means that such professional work is prepared or reviewed under the licensed architect's control under the following conditions:

(1) the architect has detailed professional knowledge of the work;

(2) the architect has documented involvement in the preparation of the work;

(3) the architect has applied the required professional competency to the work;

(4) the architect has accepted full responsibility for the work; and

(5) for at least eight years from the date the work was signed or sealed, or from the date of substantial completion as defined in section 52-584a of the General Statutes, whichever is later, the architect shall maintain and make available to the board and the Department of Consumer Protection records adequate to demonstrate that the architect has complied with subparagraphs (1) through (4) of this subdivision.

(c) An architect shall neither offer nor make any gifts with the intent of influencing the judgment of an existing or prospective client in connection with a project in which the architect is interested.

(Effective April 22, 1988; amended December 4, 1998)

Secs. 20-289-11—20-289-12.

Repealed, April 22, 1988.

Sec. 20-289-13.

Repealed, September 2, 1977.

Sec. 20-289-14. Complaints and adjudication procedures

This board will be governed by the complaint and adjudication procedures of the Department of Consumer Protection as approved by the Commissioner of Consumer Protection, and published in the Regulations of Connecticut State Agencies, as amended.

All complaints received by the board will be forwarded to the Commissioner of Consumer Protection for investigation under the uniform rules of procedure concerning boards and commissions within the jurisdiction of the Department of Consumer Protection, as defined in Section 21a-9a-1 through section 21a-9a-11, inclusive, of the Regulations of Connecticut State Agencies, its amendments or revisions.

(Effective April 22, 1988)

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Professional Engineers and Land Surveyors

Sec. 20-300-1. Definitions

(a) ''Board'' means the state board of examiners for professional engineers and land surveyors as provided for in the general statutes.

(b) ''Engineer-in-training'' means a person who has been granted a license as an engineer-in-training after meeting in part the requirements for licensure as a professional engineer and who, upon completion of the requisite years of experience in engineering work of a character satisfactory to the board, is eligible for the second part of the prescribed examination for licensure as a professional engineer.

(c) ''Surveyor-in-training'' means a person who has been granted a license as a surveyor-in-training after meeting in part the requirements for licensure as a licensed land surveyor and who, upon completion of the requisite years of experience in land surveying work of a character satisfactory to the board, is eligible for the remaining parts of the prescribed examination for licensure as a land surveyor.

(d) ''Accredited programs'' means those specific engineering and surveying curriculums offered at colleges, universities and other educational institutions within the United States or Canada that have received accreditation from the accreditation board for engineering and technology (ABET) or the Canadian accreditation board (CAB) and have been accepted by the board as recognition of the applicants attaining a first professional degree to qualify for licensure as a professional engineer. For land surveying licensure, the board may recognize educational institutions whose surveying curriculum have received regional accreditation.

(e) ''Non-graduate'' means an applicant for a professional engineer, land surveyor, engineer-in-training, or surveyor-in-training license who did not graduate from an accredited program, as accredited by ABET or CAB, but who may possess an engineering degree from a non-accredited engineering curriculum at educational institutions in the UnitStates, Canada, or other nations outside of the United States. It shall also apply to graduates of engineering technology and certain science curriculums and other applicants for licensure possessing no professional degrees but having the requisite years of experience acceptable to the board and meeting the requirements cited in the state statutes.

(f) ''Shop Drawing'' means a working drawing, diagram, illustration, schedule, performance chart, brochure, or other data which illustrates how specific portions of the system design shall be fabricated and/or installed.

(Effective November 19, 1993)

Sec. 20-300-2. Application for licensure

The application shall be made on forms prescribed and furnished by the department of consumer protection. Information supplied by the applicant on said form shall be typewritten except for signatures. Applications may be made for licensure as a professional engineer or a land surveyor or for both.

(Effective February 23, 1990; amended August 26, 1996)

Sec. 20-300-3. Classes of applicants

Each applicant shall designate the classification in the following schedule of minimum requirements under which the application is to be considered. However, the board may, at its discretion, consider it under another classification.

(a) **Professional engineer.** (1) Class 1. The applicant shall be a graduate of an approved course* in engineering in a school or college approved by the board as

of satisfactory standing, have a specific record of an additional four years of experience in engineering work which shall be of a character satisfactory to the board and pass a written examination prescribed by the board, the first part of which shall test the applicant's knowledge of fundamental engineering subjects, including mathematics and the physical sciences, and the second part of which shall test the applicant's ability to apply the principles of engineering to the actual practice of engineering. The first and second parts of the written examination shall be the uniform examination provided to the board by the National Council of Engineering Examiners (NCEE). Work during the course of so-called cooperative education programs does not qualify as experience in engineering work. When an advanced degree in engineering has been awarded at an approved institution, education in residence may be considered as part of the experience requirement. The board may waive the first part of the written examination where an applicant holds a license or certificate as engineer-in-training issued by proper authority of any state or territory or possession of the United States, or any country, provided the requirements for licensure or certification of engineer-in-training under which such license or certificate was issued shall not conflict with the statutory provisions pertaining to and shall be of a standard not lower than the requirements for licensure of engineers-in-training in the State of Connecticut.

Class 1A. The board may waive the first part of the written examination for an applicant who has completed an approved course in engineering, and who has at least eight years of experience. With the exception of the above, all other requirements of this class shall be the same as for Class 1.

(2) Class 2. The applicant shall be a nongraduate with ten years or more of experience in engineering work which shall be of a character satisfactory to the board and which shall indicate knowledge, skill and education, approximating that attained through graduation from an approved course in engineering and the passing of the examination as described in Class 1. Special conditions of other nongraduate classifications are as follows:

(A) An applicant who has completed a nonapproved course in engineering in the United States and its territories requires at least six years qualifying professional experience following the degree and the passing of the examination.

(B) An applicant who has completed an engineering technology program requires the following minimum experience in acceptable engineering work and the passing of the examination:

(i) Two-year engineering technology program—(Associate Degree):

(aa) An applicant who has completed an accredited program** and holds an Engineer-In-Training (EIT) license or certificate described in paragraph (c) below requires eight and one-half years qualifying professional experience following degree.

(bb) An applicant who has completed an accredited program and does not hold an EIT license or certificate requires ten years qualifying professional experience following degree.

(cc) An applicant who has completed a nonaccredited program and holds an EIT license or certificate requires ten years qualifying professional experience following degree.

(dd) An applicant who has completed a nonaccredited program and does not hold an EIT license or certificate requires ten years qualifying professional experience following degree.

(ii) Four-year engineering technology program (Bachelor's Degree):

(aa) An applicant who has completed an accredited program and holds an EIT license or certificate described in paragraph (c) below requires seven years qualifying professional experience following degree.

(bb) An applicant who completes an accredited program and does not hold an EIT license or certificate requires eight years qualifying professional experience following degree.

(cc) An applicant who completes a nonaccredited program and holds an EIT license or certificate requires nine years qualifying professional experience following degree.

(dd) An applicant who completes a nonaccredited program and does not hold an EIT license or certificate requires ten years qualifying professional experience following degree.

(C) An applicant who has completed an engineering course outside the United States and its territories requires the following minimum experience in acceptable engineering work and the passing of the examination:

(i) An applicant who holds an EIT license or certificate described in paragraph (c) below requires six to ten years qualifying professional experience following the degree where the number of years depends on the educational background of the applicant as evaluated by the board.

(ii) An applicant who does not hold an EIT license or certificate requires ten years qualifying professional experience following the degree.

(D) An applicant who has completed a science curriculum (Bachelor's Degree) requires the following minimum experience in acceptable engineering work and the passing of the examination:

(i) An applicant who holds an EIT license or certificate described in paragraph (c) below requires seven years qualifying professional experience following the degree.

(ii) An applicant who does not hold an EIT license or certificate requires eight years qualifying professional experience following the degree.

(3) Class 3. The applicant shall be a nongraduate who submits a specific record of twenty years or more of experience in engineering work. The applicant shall pass the examination as described in Class 1, but the board may waive the first part of the examination if the experience record is of a character satisfactory to the board. The record shall indicate that the applicant has been competent to be in responsible charge of his work.

(4) Class 4. The applicant shall hold a license, certificate or qualification or registration issued by a proper authority of any state or territory or possession of the United States, or any country, provided the requirements for licensure or registration of professional engineers under which such license, certificate of qualification or registration was issued shall not conflict with the statutory provisions pertaining to and be of a standard not lower than the requirements for licensure of professional engineers in the State of Connecticut.

(b) **Land surveyor.**

(1) Class 5. The applicant shall be a graduate of a school or college approved by the board as of satisfactory standing, including the completion of an approved course*** in surveying, shall have a specific record of an additional three years of experience in land surveying, which shall be of a character satisfactory to the board and shall be deemed satisfactory experience when approximately 50% of the minimum required time is derived from property line surveying divided approximately equally between office and field experience and shall have passed a two-part written examination prescribed by the board. The first part of the examination shall test the applicant's knowledge of the fundamentals of land surveying and the

second part shall test the applicant's knowledge of the procedures pertaining thereto. The first part and one-half of the second part of the written examination shall be the land surveyor examination provided to the board by the National Council of Examiners for Engineering and Surveying NCEES. The remaining half of the second part of the written examination isbe divided into a 3 hour section provided to the board by the NCEES and will be referred to as the Colonial Section and a one hour section prepared for the board by an authorized testing firm or by a committee of licensed land surveyors selected and approved by the board, and shall test the applicant's knowledge of Connecticut land surveying procedures and laws.

The three years additional experience shall be in a responsible, decision-making position normally under the direct supervision of a licensed land surveyor. Position as a party chief is not necessarily acceptable.

(2) Class 6. The applicant shall be a nongraduate with nine years or more of experience in surveying work at least three of which shall have been in land surveying and which shall be of a character satisfactory to the board and which shall indicate knowledge, skill and education approximating that attained through completion of an approved course in surveying and shall have passed a written examination as described in Class 5.

(A) The nine years of experience shall consist of the following:

(i) A minimum of three years experience shall be in a responsible decision-making position normally under the direct supervision of a licensed land surveyor, and a

(ii) Minimum of three years as a party chief.

(iii) Experience below the level of party chief may only be credited to the following extent: a maximum of two years in a position known as ''instrument man,'' and a maximum of one year in a position known as ''rodman.''

(B) In lieu of the above, an applicant who has completed any of the following education programs related to surveying requires the following minimum experience in acceptable surveying work and the passing of the examination as described in Class 5.

Education	Minimum Experience Required
1. Four-year degree**** (civil engineering major)	4 years—1 year party chief and 3 years supervisory as defined in (i) above
2. Two-year degree (surveying major)	5 years—2 years party chief and 3 years supervisory as defined in (i) above
3. Two-year degree (civil technology major)	6 years—3 years party chief (maximum of 1 year as instrument man may be substituted) and 3 years supervisory as defined in (i) above

(3) Class 7. The applicant shall be a graduate or nongraduate who submits a specific record of sixteen years or more of experience in surveying work, at least ten of which shall have been in land surveying. The applicant shall pass the examination as described in Class 5, but the board may waive the first part of the examination if the experience record is of a character satisfactory to the board. The record shall indicate that the applicant has been competent to be in responsible charge of his work.

(A) The sixteen years of experience shall consist of the following:

(i) A minimum of ten years experience shall be in a responsible, decision-making position normally under the direct supervision of a licensed land surveyor, and

(ii) A minimum of three years as a party chief.

(iii) Experience below the level of party chief may only be credited to the following extent: A maximum of two years as an ''instrument man,'' and a maximum of one year as a ''rodman.''

(4) Class 8. The applicant shall hold a license, certificate of qualification or registration issued by a proper authority of any state or territory or possession of the United States, or any country, provided the requirements for registration of land surveyors under which such license, certificate of qualification or registration was issued shall not conflict with the statutory provisions pertaining to and shall be of a standard not lower than the requirements for licensure of land surveyors in the State of Connecticut and shall have passed that portion of the written examination as described in Class 5 which is specific to Connecticut practice.

(5) General requirements for Classes 5, 6, 7, and 8.

(A) A maximum of one-year experience credit will be given for any one calendar year.

(B) Part-time surveying work will not be considered equal in time to full-time work. A maximum of fifty percent (50%) credit will be given for part-time surveying work.

(C) Military surveying work will not necessarily be considered equal in time to civilian work.

(D) Where application shows commingled experience in both engineering and land surveying, a breakdown shall be provided on the application form to show time in each discipline.

(E) The applicant shall indicate the name and license number of the land surveyor whose direct supervision he worked under when in a responsible, decision-making position.

(c) **Engineer-in-training.** (1) Class 9. The applicant shall be a graduate of an approved course* in engineering and shall have passed the first part of a written examination as described in Class 1.

(2) Class 10. The applicant shall be a nongraduate with six years or more of experience in engineering work which shall be of a character satisfactory to the board and which shall indicate knowledge, skill and education approximating that attained through graduation from an approved course in engineering and shall have passed the first part of the written examination as described in Class 1. Special conditions of other nongraduate classifications are as follows:

(A) An applicant who has completed a nonapproved course in engineering in the United States and its territories, not eligible under the provisions of section 20-300-6, requires at least two years qualifying professional experience following the degree and the passing of the examination.

(B) An applicant who has completed an engineering technology program requires the following minimum experience in acceptable engineering work and the passing of the examination:

(i) Two-year engineering technology program (Associate Degree), both accredited** and nonaccredited programs require six years qualifying professional experience following degree.

(ii) Four-year engineering technology program (Bachelor's Degree):

(aa) An applicant who completes an accredited program** requires four years qualifying professional experience following degree.

(bb) An applicant who completes a nonaccredited program requires five years qualifying professional experience following degree.

(C) An applicant who has completed an engineering course outside the United States and its territories requires six years qualifying professional experience following the degree and the passing of the examination.

(D) An applicant who has completed a science curriculum (Bachelor's Degree) requires four years qualifying professional experience following the degree and the passing of the examination.

(3) Class 11. The applicant shall hold a license or certificate of qualification as an engineer-in-training issued by a proper authority of any state or territory or possession of the United States, or any country, provided the requirements for certification under which such license or certificate of qualification was issued shall not conflict with the statutory provisions pertaining to and are of a standard at least equal to the requirements for licensure as an engineer-in-training in the State of Connecticut.

(d) **Surveyor-in-training.** (1) Class 12. The applicant shall be a graduate of an approved*** surveying curriculum of four years or more approved by the board as being of satisfactory standing and shall have passed part I of the national examination relating to fundamentals of land surveying.

(2) Class 13. The applicant shall be a graduate of a related science curriculum of four years or more which shall include surveying courses satisfactory to the board, have a specific record of two years or more of land surveying experience satisfactory to the board, and shall have passed part I of the national examination relating to fundamentals of land surveying.

(3) Class 14. The applicant shall be a graduate of a related science curriculum of two years or more which shall include surveying courses satisfactory to the board, have a specific record of four years or more of land surveying experience satisfactory to the board, and shall have passed part I of the national examination relating to the fundamentals of surveying.

Class 14A. The applicant shall be a nongraduate with six years or more of experience in surveying work which work is of a character satisfactory to the board and which indicates knowledge, skill and education approximating that attained through completion of an approved course in surveying, provided any such person shall have passed part I of the national examination relating to the fundamentals of land surveying.

(4) Class 15. The applicant shall hold a license or certificate of qualification as a surveyor-in-training (SIT) issued by a proper authority of any state or territory or possession of the United States, or any country, provided the requirements for certification under which such license or certificate of qualification was issued shall not conflict with the statutory provisions pertaining to and are of a standard at least equal to the requirements for licensure as a surveyor-in-training in the State of Connecticut.

(5) General requirements for classes 12, 13, 14 and 14A.

(A) Senior students in the last semester of an approved*** curriculum may apply for the SIT examination and shall be permitted to take the examination prior to graduation provided application is made under class 12. Certification will be granted only after graduation and passing the examination.

(B) Experience requirements for classes 13, 14 and 14a shall be under the direct supervision of a practicing, licensed land surveyor.

* The list of approved engineering courses adopted by the board is that compiled annually by the accreditation board for engineering and technology entitled ''accredited programs'' leading to first

degrees in engineering in the United States and that compiled annually by the Canadian Accreditation Board for accredited engineering curricula in Canada.

An applicant whose first degree from an institution is not on this list but who holds a higher engineering degree from an institution whose first degree is listed will be considered as a graduate of an approved course.

** The list of accredited programs in engineering technology adopted by the board is compiled annually by the accreditation board for engineering and technology entitled ''accredited programs'' leading to degrees in engineering technology.

*** An approved course in surveying is at least a baccaleaureate degree in surveying from a school, college, or university holding regional accreditation, including the completion of at least thirty (30) semester credits in surveying subjects.

**** Completed surveying courses may be used as party chief experience at the rate of one-year experience for thirty (30) semester credits.

(Effective February 23, 1990)

Sec. 20-300-3a. Valid period of engineer-in-training and surveyor-in-training license

A license as an engineer-in-training or surveyor-in-training shall remain valid for a period of ten years from the date upon which the applicant's first such license was issued by any state toward meeting in part the requirements in professional engineering or land surveying.

(Effective November 19, 1984)

Sec. 20-300-3b. License retention for non-practicing licensees

(a) Any person currently licensed under the provisions of section 20-300-3 as a professional engineer, land surveyor or both, may renew his or her license at a reduced fee providing he or she is not actively engaged in the practice of professional engineering or land surveying and has attained the age of sixty-five prior to applying for renewal of such license.

(b) Applicants for the restricted license shall be required to submit a letter of request for such classification when returning their renewal application. The letter shall contain a statement expressing the licensee's current retirement status and the acceptance of the restriction on the license.

(c) Licensees in this category may restore their license to practice professional engineering and/or land surveying by submitting a form to be provided by the department requesting reinstatement, and the payment of the current annual fee for the license.

(d) Licensees in this category are to understand that they may not offer to practice professional engineering or provide land surveying services to clients in the State of Connecticut, nor are they to sign or seal any engineering or any land surveying documents for clients while this license is in force.

(Effective November 19, 1984)

Sec. 20-300-4. Table of fees

A check or money order for the appropriate fee shown and made payable to the Treasurer, State of Connecticut, shall accompany the application or renewal request. Application fees are nonrefundable.

For application where reciprocity does not apply:

Professional Engineer (Class 1, 1A, 2 or 3)	$150.00
Land Surveyor (Class 5, 6 or 7)	$150.00
Professional Engineer and Land Surveyor (combined)	$150.00

Engineer-In-Training (Class 9 or 10)	$38.00
Surveyor-in-training (Class 12, 13, 14 or 14A)	$32.00
For application made under the reciprocity provisions of the statutes:	
Professional Engineer (Class 4)	$150.00
Land Surveyor (Class 8)	$150.00
Professional Engineer and Land Surveyor (combined)	$150.00
Engineer-In-Training (Class 11)	$5.00
Surveyor-In-Training (Class 15)	$5.00
Annual renewal of licenses for yearly periods (February 1st through the following January 31st) as follows:	
Engineer-In-Training	none
Surveyor-In-Training	none
Professional Eneer—Active	$225.00
—Retired	$30.00
Land Surveyor—Active	$225.00
—Retired	$30.00
Professional Engineer and Land Surveyor (combined)	
—Active	$225.00
—Retired	$30.00

The renewal fee for any fraction of a year shall be the full annual renewal fee.

Certificates first issued in any year after November 1st.	none in that year
Replacement of:	
License (wall certificate)	$20.00
Re-examinations:	
Professional Engineer (Class 1, 1A, or 2)	$450.00
Land Surveyor (Class 5 or 6)	$450.00
Engineer-In-Training (Class 9 or 10)	$75.00
Surveyor-In-Training (Class 12, 13, 14 or 14A)	$75.00
For corporate certificates of registration:	
Application fee	$450.00
Annual renewal fee (on annual anniversary date of issuance)	$300.00
Replacement of certificate of registration (wall certificate)	$20.00
For joint corporate practice certificates of registration:	
Application fee	$450.00
Annual renewal fee (on annual anniversary date of issuance)	$300.00
Replacement of certificate of registration (wall certificate)	$20.00

(Effective February 23, 1990)

Sec. 20-300-5. Examinations and interviews

(a) The semi-annual examinations ordinarily will be held in the spring and fall or at such other time as the board shall decide, at such time and place as the board shall announce thirty days in advance. Additional examinations may be held at the discretion of the board. The land surveyor examination will be held in the spring and fall.

(b) Applications filed under Classes 1, 2, 3, 5, 6, 7, 9, 10, 13, 14 and 14A shall be submitted not later than December first for the spring exam or July first for the fall exam to permit routine processing of the application and its consideration by the board prior to the examinations.

(c) Applications filed under Class 12 shall be submitted not later than February 15 for the spring examination or by September 15 for the fall examination to permit routine processing of the application and its consideration by the board prior to the examinations.

(d) Examinations will be written. In certain examinations designated by the board, applicants may use books or references material which shall be subject to inspection by the examiner.

(e) A candidate failing an examination will, upon receipt of the appropriate fee, be listed for reexamination at the regularly scheduled examination held within thirteen months of the original exam. Any candidate who fails the second consecutive examination will be required to wait a period of one year following notification of failure before reapplying, and at that time shall submit a new application with the appropriate fee. A candidate who fails an examination may not review his examination booklet or the associated answer sheets. Rescoring of the examination or any individual problem is not permitted, however, a retabulation of the numerical score will be permitted.

(f) An applicant for licensure as a professional engineer who is required to take both parts of the written examination and who passes one of the two parts and fails the other part shall be credited with the part passed (Part I—Fundamentals of Engineering or Part II—Principles and Practice of Engineering toward meeting the complete examination requirements for licensure. Such credit toward meeting the full examination requirement shall remain valid on Part I for ten years and on Part II for six years from the date of the examination on which such part was passed. Any applicant for licensure as a professional engineer who is permitted to take only one part of the two-part examination at any set examination shall be charged in the fee schedule for the full two-part examination.

(g) An applicant for licensure as a land surveyor who is required to take all parts of the written examination and who passes one of the parts and fails the other parts shall be credited with the part passed (Part I—Fundamentals of Land Surveying, or Part IIA—Principles and Practice of Land Surveying, Part IIB—Colonial Law and Part IIC—Connecticut Law) toward meeting the complete examination requirements for licensure. Such credit toward meeting the full examination requirements shall remain valid on Part I for ten years and one Part IIA, IIB or IIC for six years from the date of the examination on which such part was passed. Any applicant for licensure as a land surveyor who is permitted to take only one part of the examination at any set examination shall be charged in the fee schedule for the full examination.

(h) Examinations may be postponed in exceptional cases for good reason upon request from the candidate, until the next regularly scheduled examination after the period for which the candidate was originally scheduled. The board assumes that all applicants are planning to appear at the next scheduled examination if required. Ordinarily, not more than one postponement shall be permitted.

(i) The board may at its discretion request any applicant to appear personally and give opportunity for discussion and consideration of his or her application.

(j) All fees for reexamination shall be due and payable upon commitment by the applicant to take the next examination.

(Effective February 23, 1990)

Sec. 20-300-6. Engineer-in-training examination for students

(a) Senior students in the last semester of an approved curriculum may apply for the engineer-in-training examination and shall be permitted to take the examination prior to graduation provided application is made under Class 9 and the fee filed

with the application not later than the dates given in Sec. 20-300-5 (b) depending on whether the last semester is in the spring or fall.

(b) Candidates for the masters degree in an engineering curriculum at an institution in which the first degree curriculum is approved and who have applied to the graduate school of the institution for award of the degree before July first or January first may also apply for the engineer-in-training examination in the spring or fall, respectively. Such applicants passing this examination will be licensed only if they are also certified as having completed all graduation requirements or have been graduated from an approved curriculum or awarded the masters degree within thirteen months from the date of the examination.

(c) Senior students in the last semester of an engineering curriculum in certain Connecticut schools which would place the individual under the Class 10 experience requirements shall be permitted to take Part I of the examination prior to graduation and prior to meeting the experience requirements of Class 10, provided application for the examination is made not later than the dates given in Sec. 20-300-5 (b) depending on whether the last semester is in the spring or fall. Such applicants upon passing this examination will be licensed only if they are certified as having completed all graduation requirements and meet the experience requirements of Class 10. Such applicant who passes the examination may submit his or her experience record for consideration two years after graduation.

(d) Credit for the Part I examination shall hold from the date on which the examination was passed.

(Effective November 19, 1984)

Sec. 20-300-7.

Repealed, October 19, 1965.

Sec. 20-300-7a. References

(a) Each application shall contain the following signatures:

(1) On applications for professional engineer: At least five persons, of whom at least four shall be members of the profession and not related to the applicant. At least one signature shall be that of a person listed in the experience record of the application form. At least three shall be licensed professional engineers in the United States or its territories. Applicants who cannot satisfy this request shall submit a letter to the board with the application stating the reason.

(2) On applications for land surveyor: At least five persons, of whom at least four shall be members of the profession and not related to the applicant. At least one signature shall be that of a person listed in the experience record of the application form. At least three shall be licensed land surveyors in the United States or its territories. Applicants who cannot satisfy this request shall submit a letter to the board with the application stating the reason.

(3) On application for combined professional engineer and land surveyor: At least five persons, of whom at least four shall be members of the profession and not related to the applicant. At least two shall be licensed professional engineers and at least two shall be licensed land surveyors in the United States or its territories.

At least one signature shall be that of a person who can attest to the applicant's engineering experience and at least one signature shall be that of a person who can attest to the applicant's surveying experience, both of whom shall be listed in the experience record of the application form. Applicants who cannot satisfy this request shall submit a letter to the board with the application stating the reason.

(4) On applications for engineer-in-training and surveyor-in-training:

(A) Class 10, 13, 14 and 14A—at least five persons, of whom at least four shall be members of the profession and not related to the applicant. At least one signature shall be that of a person listed in the experience record of the application form. For Class 10, at least three shall be licensed professional engineers in the United States or its territories; for Classes 13, 14 or 14A at least three shall be licensed land surveyors. Applicants who cannot satisfy this request shall submit a letter to the board with the application stating the reason.

(B) Class 9, 11, 12 or 15—the names of at least three persons familiar with the applicant's education and experience.

(C) Signature shall not be required for Class 9, 11, 12 or 15 or for senior students in Connecticut schools in the last semester of an engineering or surveying program.

(b) The Board may communicate with such references or any other person familiar with the applicant's record and, at its discretion, submit a copy of the record of the applicant. If, after a reasonable time, information requested from any reference has not been received, additional references may be required.

(Effective April 22, 1988)

Sec. 20-300-8. Denial of licensure

A person whose application has been denied shall be so notified. The board shall, upon request of the applicant, advise the applicant as to the reasons for such denial and the applicant may then submit additional information or evidence for consideration by the board. An applicant will be given reasonable opportunity to secure reconsideration of his or her application. A denial will be considered final one month after notification to the applicant, unless additional information warranting reconsideration is received in the interim.

(Effective November 19, 1984)

Sec. 20-300-9. Wall certificate of licensure and license card

(a) The board will issue to each successful applicant a wall certificate of licensure and a wallet card certifying that the applicant holds a license as a professional engineer or a land surveyor or both. The board will issue to each successful applicant a wall certificate and wallet card certifying that the applicant holds a license as an engineer-in-training or surveyor-in-training.

(b) Each wall certificate shall be numbered by the board and shall be signed jointly by the board chairman and the commissioner of consumer protection.

(c) Any person licensed under the general statutes and doing business with the public on his or her own account or as chief executive or as consultant shall keep his or her wall certificate of licensure posted conspicuously in his or her principal place of business where the public can readily examine such certificate.

(d) If a wall certificate or wallet card is lost, destroyed or mutilated, a duplicate will be issued upon payment of the fee indicated and submission of a statement explaining the loss or destruction of the original document. (See Reg. 20-300-4.)

(Effective November 19, 1984)

Sec. 20-300-10. License seals and stamps

(a) Each licensee, upon notification of licensure, will be authorized to obtain an official seal of a size and design prescribed by the Board. The seal shall be applied to all plans, maps, surveys, sketches, drawings, specifications, and documents pertaining to any project submitted by the licensee to his or her client. Where drawings or documents are bound together, the application of the seal on one sheet or page shall

be considered sufficient, except in filing plans for building permits and appurtenant structures where each sheet shall be sealed.

(b) A rubber stamp of identical size and design to the specified seal shall suffice. Where a licensee is classified as a professional engineer and as a land surveyor, two seals are necessary. The licensee shall not affix his or her seal to any plan, map, survey, sketch, drawing, specification, or other document not prepared personally or under his or her supervisory control. A licensee may seal, or sign and seal, documents not prepared by the licensee or by an employee under the licensee's supervisory control, provided the licensee shall prepare, and retain for a period of not less than six years, a thorough written evaluation of the professional services represented by the documents, including but not limited to, drawings, specifications, reports, design calculations and references to applicable codes and standards. Such written evaluation shall clearly identify the project and the documents to which it relates, the sources of the documents and the name of the person or organization for which the written evaluation was conducted and the date of the evaluation; and the seal and signature of the licensee shall also be affixed thereto.

(c) The licensed land surveyor shall indicate on any map or survey which bears his or her seal and signature, for submittal to his or her client or town clerks as required under section 7-31 of the general statutes, that said map or survey is substantially correct to the degree of accuracy shown thereon. The accuracy shall be classified in accord with the ''code of recommended practice for accuracy of surveys and maps,'' a publication approved for use by the board.

(d) Holders of official seals and/or stamps are responsible for their use in sealing and/or stamping of engineering and land surveying documents. Loss of seals and/or stamps shall be reported to the board of examiners and the department of consumer protection immediately but not later than fifteen (15) days after discovery. Failure to report such loss may subject the holder to disciplinary action by the board. A petition for the issuance of a new license may be submitted concurrently with report of the loss. Misuse of the lost seal and/or stamp by others shall remain the responsibility of the licensee until such loss is reported.

(Effective February 23, 1990)

Sec. 20-300-10a.

Repealed, November 19, 1984.

Sec. 20-300-10b. Engineering and land surveying practices in property development work

(a) The phase of property development work requiring evaluation, planning and design of drainage systems, proposed major changes in ground contours affecting surface water runoff, sanitary sewer systems, sewage disposal systems, water supply and distribution and proposed buildings, structures or other improvements constitute professional engineering and, as such, any documents relating thereto shall be sealed by a licensed professional engineer.

(b) The phase of property development work requiring measuring, evaluating and mapping of topographic conditions, boundary lines, interior lot and street lines, including their monumentation, the horizontal and vertical location of all existing and proposed buildings, structures or other improvements to determine their compliance with any specified location requirements set forth in architectural and/or engineering plans or building and zoning regulations, constitutes land surveying and, as such, any documents relating thereto shall be sealed by a licensed land surveyor.

(c) The evaluation, planning and design of roads in general constitutes engineering and, as such, shall be sealed by a licensed professional engineer. The alignment and grades of a road incidental to planning the layout and mapping of a subdivision may also be performed by a land surveyor.

(Effective February 23, 1990)

Sec. 20-300-11. Renewals

(a) All licenses expire on January thirty-first of the year following their issuance or renewal, except those first issued between November first and December thirty-first in the calendar year of first issuance, and, unless renewed, shall become invalid after that date, making practice illegal. Upon payment of the renewal fee the commissioner of consumer protection shall issue a card indicating renewal of licensure. Failure to renew a license shall not deprive any licensee of the right of renewal for a period of five years from the date it became invalid and the name of the licensee may not be included in the February roster.

(b) The fee due at the time a lapsed license is renewed shall be the renewal fee for each lapsed renewal period plus the renewal fee due during the year in which the application for reinstatement is made. The renewal fee for any fraction of a year shall be the full annual fee. The renewal fee for a lapsed license shall be accompanied by a notarized letter attesting to the licensee's engineering or land surveying experience from the time he or she filed the initial application for licensure that was approved by the board.

(c) Licenses not renewed within five years from the date of expiration can only be reinstated by filing a new application subject to requirements for licensure at the time of filing.

(d) Annual renewal of the engineer-in-training or surveyor-in-training license is not required; such license shall remain valid for a period of ten years from the date of original licensure and during this time it shall meet in part the requirements for licensure as a professional engineer or land surveyor. The commissioner of consumer protection need not notify the holder of an engineer-in-training or surveyor-in-training license of the date of expiration of the license other than to publish it annually in the roster.

(Effective November 19, 1984)

Sec. 20-300-12. Code of ethics

(a) The Board adopts the following rules of professional conduct as the code of ethics for professional engineers and land surveyors.

In order to establish and maintain a high standard of integrity, skills and practice in the profession of engineering and land surveying and to safeguard the life, health, property, and welfare of the public, the following rules of professional conduct are promulgated and shall be binding upon every person holding a license as a professional engineer or land surveyor and on all partnerships or corporations or other legal entities authorized to offer or perform engineering and/or land surveying services in Connecticut.

The rules of professional conduct as promulgated herein are an exercise of the police power vested in the board by virtue of the acts of the legislature, and as such, the board is authorized to establish conduct, policy, and practices in accordance with the powers hereinabove stated.

All persons licensed under the provisions of Chapter 391 of the general statutes of Connecticut are charged with having knowledge of the existence of these rules of professional conduct, and shall be deemed to be familiar with their several

provisions and to understand them. Such knowledge shall encompass the understanding that the practice of engineering and land surveying is a privilege, as opposed to a right, and the licensee shall be forthright and candid in his or her statements or written response to the board or its representatives on matters pertaining to professional conduct.

(1) The engineer or land surveyor shall at all times recognize his or her primary obligation to protect tsafety, health, and welfare of the public in the performance of his or her professional duties. If his or her professional judgment is overruled under circumstances where the safety, health and welfare of the public are endangered, he or she shall inform his or her employer of the possible consequences and notify such other proper authority of the situation, as may be appropriate.

(2) The engineer or land surveyor shall undertake to perform engineering or land surveying assignments only when qualified by education or experience in the specific technical field of professional engineering or land surveying involved.

(3) The engineer or land surveyor may accept an assignment requiring education or experience outside of his or her own field of competence, but only to the extent that such services are restricted to those phases of the project in which he or she is qualified. All other phases of such project shall be performed by qualified associates, consultants, or employees.

(4) The engineer or land surveyor shall not affix his or her seal to any plan, map, survey, sketch, drawing, specification, or other document not prepared personally or under his or her supervisory control.

A licenee may seal, or sign and seal, documents not prepared by the licensee or by an employee under the licensee's supervisory control, provided the licensee shall prepare, and retain for a period of not less than six years, a thorough written evaluation of the professional services represented by the documents, including but not limited to, drawings, specifications, reports, design calculations and references to applicable codes and standards. Such written evaluation shall clearly identify the project and the documents to which it relates, the sources of the documents and the name of the person or organization for which the written evaluation was conducted and the date of the evaluation; and the seal and signature of the licensee shall also be affixed thereto.

(5) The engineer or land surveyor shall be completely objective and truthful in all professional reports, plans, maps, surveys, sketches, drawings, specifications, other documents, statements, or testimony. He or she shall include all relevant and pertinent information in such reports, plans, maps, surveys, sketches, drawings, specifications, other documents, statements, or testimony.

(6) The engineer or land surveyor when serving as an expert or technical witness before any court, commission, or other tribunal, shall express an opinion only when it is founded upon adequate knowledge of the facts in issue, upon a background of technical competence in the subject matter, and upon honest conviction of the accuracy and propriety of his or her testimony.

(7) The engineer or land surveyor shall issue no statement, criticisms, or arguments on engineering or land surveying matters connected with public policy which are inspired or paid for by an interested party, or parties, unless he or she has prefaced such comment by explicitly identifying himself or herself by disclosing the identities of the party or parties on whose behalf he or she is speaking, and by revealing the existence of any pecuniary interest he or she may have in the instant matter.

(8) The engineer or land surveyor shall conscientiously avoid conflicts of interest with his or her employer or client, but, when unavoidable, the engineer or land

surveyor shall forthwith disclose the circumstances to his or her employer or client. The engineer or land surveyor shall not review or influence the decision of his or her own or his or her firm's work for any public body on which he or she may serve.

(9) The engineer or land surveyor shall avoid all known conflicts of interest with his or her employer or client and shall promptly inform his or her employer or client of any business association, interest, or circumstances which could influence his or her judgment or the quality of his or her services.

(10) The engineer or land surveyor shall not accept compensation, financial or otherwise, from more than one party for services on the same project, unless the circumstances are fully disclosed to, and agreed to, by all interested parties. The engineer or land surveyor shall not permit any person to share in the fees for professional services, other than: A partner, employee, associate in a professional firm or corporation, subcontractor or consultant. This prohibition shall include any arrangement or agreement whereby the amount received in payment for furnishing professional services, personnel services, space, facilities, or equipment used by a professional licensee constitutes a percentage of, or is otherwise dependent upon, the income or receipts of the licensee from such practice.

(11) The engineer or land surveyor shall not solicit or accept financial or other valuable consideration from material or equipment suppliers for specifying his or her product.

(12) The engineer or land surveyor shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with his or her client or employer in connection with work for which he or she is responsible.

(13) The engineer or land surveyor shall not solicit or accept an engineering or land surveying contract from a governmental body on which the principal or officer of his or her organization serves as a member. He or she shall not participate as a member, advisor or employee of a governmental body in those actions or deliberations which pertain to services provided to the governmental body by the practitioner or his or her organization.

(14) The engineer or land surveyor shall not offer to pay, agree to pay, conspire to pay, or pay either directly or indirectly, any commission, political contribution or gift, or other consideration in order to secure work, exclusive of securing salaried positions through employment agencies.

(15) The engineer or land surveyor shall not falsify or permit misrepresentation of his or her, or his or her associates', academic or professional qualifications. He or she shall not misrepresent or exaggerate his or her degree of responsibility in or for the subject matter of prior assignments. Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures, or this or their past accomplishments with the intent and purpose of enhancing his or her qualifications and work.

(16) The engineer or land surveyor shall not knowingly associate with or permit the use of his or her name or firm name in a business venture by any person or firm which he or she knows, or has reason to believe, is engaging in business or professional practices of a fraudulent or dishonest nature.

(17) If the engineer or land surveyor has knowledge or reason to believe that another person or firm may be in violation of any of these provisions, he or she shall present such information to the board in writing, as specified in section 20-300-14a, and shall cooperate with the board in furnishing such further information or assistance as may be required by the board.

(Effective August 23, 1994)

Sec. 20-300-13.

Repealed, October 19, 1965.

Sec. 20-300-14.

Repealed, November 19, 1984.

Sec. 20-300-14a. Complaints and adjudication procedures

This board will be governed by the complaint and adjudication procedures of the Department of Consumer Protection as approved by the Commissioner of Consumer Protection, and published in the Regulations of Connecticut State Agencies, as amended.

All complaints received by the board will be forwarded to the Commissioner of Consumer Protection for investigation under the uniform rules of procedure concerning boards and commissions within the jurisdiction of the Department of Consumer Protection, as defined in Section 21a-9a-1 through section 21a-9a-11, inclusive, of the Regulations of Connecticut State Agencies, its amendments or revisions.

(Effective November 19, 1984)

Sec. 20-300-15. Layout technician

(a) An automatic fire sprinkler system layout technician's license may be issued to any person who has received level III certification from the National Institute for Certification in Engineering Technologies in the field of fire protection engineering technology or a subfield of automatic sprinkler system layout.

(b) The application shall be made on forms prescribed and furnished by the department of consumer protection. Information supplied by the applicant on said form shall be typewritten except for signatures and the photograph attached to the application must be of a proper size as indicated on the application.

(c) The non-refundable application fee shall be seventy-five dollars ($75.00).

(d) Included with the application shall be the names and addresses of at least three persons familiar with the applicant's education and experience.

(e) The license fee shall be one hundred fifty dollars ($150.00).

(f) The Board shall issue to each successful applicant a wallet card certifying that the applicant holds a license as an automatic fire sprinkler system layout technician.

(g) Each licensee, upon notification of licensure will be authorized to obtain an official seal as shown in figure #1 below. The seal and signature shall be applied to all documentation that the licensee is authorized by statute to seal and sign. Where the documents are bound together, the application of the seal and signature on one sheet or page shall be considered sufficient, except in filing plans for building permits and appurtenant structures where each sheet shall be sealed and signed. The licensee shall not affix his seal or signature to any document not prepared personally by the licensee or under his direct supervision.

(h) The Board may impose any of the sanctions contained in Sections 20-307a, 21a-7 and 21a-9 of the Connecticut General Statutes if the licensee performs negligent or incompetent work; engages in conduct of a character likely to mislead, deceive or defraud the public or the Board; or violates any of the provisions of Chapter 391 of the Connecticut General Statutes or the regulations promulgated thereunder.

(i) All persons licensed under the provisions of Section 20-304a of the Connecticut General Statutes are charged with having knowledge of the existence of these rules shall be deemed to be familiar with their several provisions and to understand them. Such knowledge shall encompass the understanding that the practice of automatic

fire sprinkler system layout is a privilege, as opposed to a right, and the licensees shall be forthright and candid in his or her statements or written response to the board or its representatives.

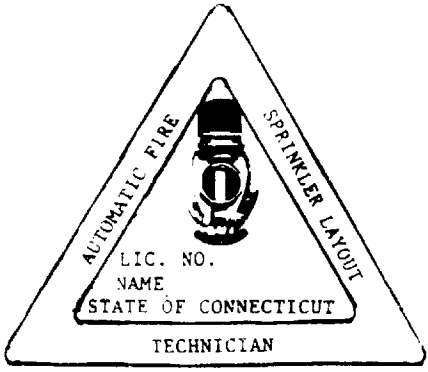

Figure #1

(Effective November 19, 1993)

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Minimum Standards of Accuracy, Content and Certification for Surveys and Maps

Article I

Types of Surveys

Sec. 20-300b-1. General

There are many types of surveys. Choice of a *survey type* is made relative to the intent and purpose for which the survey is to be used. The *survey type* is intended to classify these criteria. When a map is prepared, the *survey type* shall be stated in the title of the map and, in order to reflect the scope of service, may be clarified within the notes on the map.

(Adopted, effective June 21, 1996)

Sec. 20-300b-2. Property/boundary and limited property/boundary surveys

(a) Property/Boundary and Limited Property/Boundary Surveys require sufficient investigation, study, field measurement and evaluation of factors affecting boundaries, real property interests and other relevant matters with respect to the subject real estate to enable the surveyor to render a professional opinion as to boundary locations and any conflicts therewith.

These surveys require the preparation of a detailed field survey and are intended to present the surveyor's property/boundary opinion. It is recognized that certain factors pertaining to boundary line determination are beyond the surveyor's purview and may require agreements between abutting property owners or action by the courts. Facts surrounding such circumstances shall be noted.

(b) **Types of Property/Boundary Surveys**

(1) Property Survey

A Property Survey is a type of survey which depicts or notes the position of boundaries with respect to:

(A) locations of all boundary monumentation found or set;

(B) apparent improvements and features, including as a minimum: dwellings, barns, garages, sheds, driveways, roadways, surface utilities, visible bodies of water and swimming pools;

(C) record easements and visible evidence of the use thereof;

(D) record and apparent means of ingress and egress;

(E) lines of occupation, including as a minimum: fences, walls, hedges and yards;

(F) deed restrictions pertaining to the location of buildings or other apparent improvements;

(G) unresolved conflicts with record deed descriptions and maps;

(H) all apparent boundary encroachments; and

(I) monumentation required to be set at all corners created by a deflection angle of not less than 70 degrees between two consecutive courses and at intervals not to exceed 600 feet (180 meters) along the boundaries between said corners, except where natural or man-made monumentation defines or occupies the line. Refer to Section 20-300b-14 of these regulations for a description of acceptable monuments. Except when intended for use for Subdivision or Resubdivision applications, this requirement may be waived only through written agreement between surveyor and client and with a notation on the map that all monumentation found or set has been depicted.

(2) Perimeter Survey

A Perimeter Survey is a type of survey which maps a strip along the boundaries, the minimum width of which shall be 15 feet (5 meters), oriented 10 feet (3 meters) within and 5 feet (2 meters) beyond the parcel limits. The purpose of this type of survey is to document the boundary locations by depicting and noting their position with respect to:

(A) locations of all boundary monumentation found or set;

(B) apparent improvements and features, including as a minimum: dwellings, barns, garages, sheds, driveways, roadways, surface utilities, visible bodies of water and swimming pools;

(C) record easements and visible evidence of the use thereof;

(D) record and visible means of ingress and egress;

(E) lines of occupation, including as a minimum: fences, walls, hedges and yards;

(F) unresolved conflicts with existing deed descriptions and maps;

(G) deed restrictions pertaining to the location of buildings or other apparent improvements;

(H) apparent boundary encroachments; and

(I) monumentation required to be set at all corners created by a deflection angle of not less than 70 degrees between two consecutive courses and at intervals not to exceed 600 feet (180 meters) along the boundaries between said corners, except where natural or man-made monumentation defines or occupies the line. Refer to Section 20-300b-14 of these regulations for a description of acceptable monuments. This requirement may be waived only through written agreement between surveyor and client and with a notation on the map that all monumentation found or set has been depicted.

(c) **Types of Limited Property/Boundary Surveys**

(1) Existing Building Location Survey

An Existing Building Location Survey is a type of survey which depicts or notes the position of all buildings on the property with respect to boundaries, record easement lines and pertinent municipal setback requirements and deed restrictions. No other improvements or features need be depicted.

(2) Zoning Location Survey

A Zoning Location Survey is a type of survey which depicts or notes the position of existing or proposed improvements with respect to applicable municipal setback requirements. The purpose of this type of survey is to enable determination of compliance with said requirements. Only those portions of the property pertinent to the issues being addressed must be depicted. No other improvements or features need be depicted.

(3) Improvement Location Survey

An Improvement Location Survey is a type of survey which depicts or notes the position, horizontally and, where required, vertically, between particular existing or proposed improvements with respect to the applicable municipal or statutory requirements. The purpose of this type of survey is to enable determination of compliance with said requirements. No other improvements or features need be depicted.

(4) Subdivision or Resubdivision Map

A Subdivision or Resubdivision Map is a map of a type of survey which depicts or notes the layout of lots and the associated public or private highways, easements and lands and is intended for submission to applicable regulatory entities. This map shall conform to the requirements of a Property Survey or be submitted along

with a Property Survey. The monumentation requirements of Article III of these regulations do not apply to the Original Survey portions.

(5) Easement Map

An Easement Map is a map of a type of survey which depicts and notes the position of an existing or proposed easement with respect to:

(A) boundary monumentation found or set;

(B) improvements and features, including as a minimum: dwellings, barns, garages, sheds, driveways, roadways, surface utilities, visible bodies of water, fences, walls, hedges, yards and swimming pools;

(C) other record easements and visible evidence of the use thereof; and

(D) unresolved conflicts with record deed descriptions and maps.

All visible encroachments shall be depicted or noted thereon. For boundaries intersected by the easement lines, the surveyor shall indicate the Boundary Determination Category used.

(6) Boundary Stake-Out

A Boundary Stake-Out is a type of survey which marks or monuments the physical position of property corners or lines. The surveyor shall issue a signed and sealed letter or sketch indicating the monuments or markers set and indicating the Boundary Determination Category used. No other features need be depicted.

(d) **Additional Requirements**

All survey types listed in subsections (b) and (c) of this section shall comply with the following:

(1) AA, A-1 or A-2 Classes of Horizontal Accuracy as defined in subsection (b) of Section 20-300b-11 of these regulations.

(2) monumentation or marker Location Requirements as defined in Section 20-300b-13 of these regulations;

(3) research requirements defined in Article IV of these regulations;

(4) distances along boundary or easement lines expressed to the nearest .01 of a foot (.003 meters), except where said lines are irregular and constantly changing, as along a body of water;

(5) directions, defined by angles, bearings or azimuths, along boundary or easement lines expressed to the nearest 10 seconds for Class A-2 and to the nearest 1 second for Class AA and A-1, except where said lines are irregular and constantly changing, as along a body of water;

(6) curved lines defined with the central angle, radius, arc length and tangent. For curves which are not tangent to an adjoining course, the information required to reproduce them shall be indicated. Lines which are radial shall be so noted;

(7) in areas where lines are irregular and constantly changing, as along a body of water, meander, tie or reference lines shall depict or note the position of points located along said lines and allow for a mathematical closure of the map;

(8) adjoining properties shall be identified by most recently published owners' names (N/F, now or formerly) or by subdivision map and lot numbers;

(9) areas noted in acres (hectares) or square feet (square meters);

(10) all monuments or markers set or found depicted and adequately described. When reference markers have been used, their position with respect to the boundary shall be indicated; and

(11) a north arrow shall be shown on every sheet. The reference to grid, magnetic or north from another map, shall be noted. If magnetic, the date of the reading shall be noted.

(e) **Boundary Determination Categories**

The category used in determining property/boundary opinions for all survey types listed in subsections (b) and (c) of this section shall be identified within the title or notes on the map, and shall be one of the following:

(1) First Survey:

A First Survey is a survey of existing property lines made when the surveyor has not found a map or other document of the subject property, such as a metes and bounds description which represents a previous surveyor's professional opinion. If the surveyor has found a prior survey, the current survey is by definition, a Resurvey.

(2) Resurvey:

A Resurvey is a survey of property lines made when the surveyor has found a prior survey of the subject property. After evaluation of the prior survey, within the context of field and record information, the Resurvey is prepared. The Resurvey may or may not agree with the prior survey.

If the surveyor has found a prior survey of the subject property and, in the surveyor's professional opinion, determines it to be sufficient for reliance and update, the term Dependent Resurvey shall be used. The Dependent Resurvey places reliance on the prior survey while updating same to reflect current conditions.

(3) Original Survey:

An Original Survey is a survey indicating proposed property lines or parcels of land. The Boundary Determination Category of existing boundaries shall be indicated.

(Adopted, effective June 21, 1996)

Sec. 20-300b-3. Control surveys

(a) **Horizontal Control Survey**

A Horizontal Control Survey is a type of survey which establishes points on a horizontal coordinate system, such as latitude and longitude, state, municipal, or arbitrary coordinates. The horizontal control net shall comply with one of the Classes of Horizontal Accuracy defined in Section 20-300b-11 of these regulations.

(b) **Vertical Control Survey**

A Vertical Control Survey is a type of survey which establishes bench marks in relation to an appropriate vertical datum. Vertical measurements shall comply with one of the Classes of Vertical Accuracy defined in Section 20-300b-11 of these regulations.

(Adopted, effective June 21, 1996)

Sec. 20-300b-4. Topographic survey

(a) A Topographic Survey is a type of survey which depicts the configuration (relief) of the earth's surface (ground) and the location of natural and artificial objects thereon. The Topographic and Vertical Classes of Accuracy, as defined in Section 20-300b-11 of these regulations, shall be noted. Bench marks shall be depicted or noted on all Class T-1, T-2 and T-3 Surveys. Survey datum and contour interval shall be depicted or noted.

(b) If property lines depicted do not present a surveyor's property/boundary opinion, there shall be a note clearly indicating this fact.

(Adopted, effective June 21, 1996)

Sec. 20-300b-5. Right of way survey

(a) A Right of Way Survey is a type of survey which maps the limits of existing or proposed highways or public utility transmission easements, including the mapping of parcels to be acquired for such purpose(s), as referenced to an established

baseline. The baseline to which the highway, easement or acquisition lines are referenced shall be a traverse line, project centerline or construction baseline, any of which shall be monumented or specifically tied to permanent reference markers and shall comply at a minimum with Horizontal Accuracy Class A-2 as defined in Section 20-300b-11 of these regulations and monumentation requirements defined in Article III of these regulations.

(b) Highway or easement lines may be deed, occupation, notification or acquisition lines; shall be noted accordingly; and may be monumented.

(c) The features depicted on the mapping may be the result of aerial photogrammetric or field location surveys performed for project planning purposes or may be compiled from various sources. All pertinent sources shall be noted. The method of determining the position of property lines depicted shall be noted as shall the appropriate Horizontal Accuracy Class.

(Adopted, effective June 21, 1996)

Sec. 20-300b-6. General location survey

(a) A General Location Survey is a type of survey which roughly depicts a parcel of land and particular improvements based on record research and compilation of data supplemented by limited field measurements. The specific content is a matter to be agreed upon between the client and the surveyor and clearly noted on the map.

(b) This type of survey shall not be used to prepare property descriptions for conveyance.

(c) If property lines depicted do not present a surveyor's property/boundary opinion, there shall be a note clearly indicating this fact.

(d) Note #1 on the map shall include: ''This map was prepared from record research, other maps, limited field measurements and other sources. It is not to be construed as a Property/Boundary or Limited Property/Boundary Survey and is subject to such facts as said surveys may disclose.''

(Adopted, effective June 21, 1996)

Sec. 20-300b-7. Data accumulation plan

(a) A Data Accumulation Plan is a type of plan which depicts collected and correlated data of a particular type (or types) within a given area. Data Accumulation Plans may be depicted on a previously prepared map. The horizontal or vertical accuracy classes used in the preparation shall be noted.

(b) If property lines depicted do not present a surveyor's property/boundary opinion, there shall be a note clearly indicating this fact.

(Adopted, effective June 21, 1996)

Sec. 20-300b-8. Compilation plan

(a) A Compilation Plan is a type of plan based on land record research and other sources of information which depicts the approximate size and shape of a parcel of land. This plan may be derived from records only and not as a result of a field survey or measurements by the surveyor. The accuracy of this plan may vary with the quality of the data from which it has been compiled. All pertinent sources utilized shall be noted on the plan. Where said plan is created for a specific purpose, that purpose shall be noted.

(b) Note #1 on this plan shall include: ''This plan was compiled from other maps, record research or other sources of information. It is not to be construed as having been obtained as the result of a field survey, and is subject to such change as an accurate field survey may disclose.''

(Adopted, effective June 21, 1996)

Sec. 20-300b-9. Construction stake-out services

Construction Stake-Out Services are types of surveys which control the horizontal or vertical positions of proposed improvements. No plan need be prepared; however, documentation with respect to the position of points placed shall be maintained as a permanent record.

(Adopted, effective June 21, 1996)

Sec. 20-300b-10. Geographic information system (GIS) land information system (LIS)

(a) Types of systems used for information data banks based on spatial requirements. Reference is made to a publication by the Federal Geodetic Control Committee titled *Multipurpose Land Information Systems: The Guide Book*.

(b) If the information in the GIS/LIS is intended to relate to the surface of the earth, a surveyor shall establish such positional relationship. The surveyor's professional judgment shall be used in determining all appropriate Classes of Accuracy.

(Adopted, effective June 21, 1996)

Article II

Classes of Accuracy

Sec. 20-300b-11. Classes of accuracy

(a) All surveys prepared in metric format shall use: 1 meter = 3.28083333 U.S. Survey feet.

(b) **Horizontal Accuracy**

Each survey depicting horizontal locations shall conform to a Horizontal Accuracy Class the tolerance of which is defined as follows:

Class	Positional			Linear	Angular
		Feet	Meters	(Use the ratio for D>...)	
AA	1:15,000	±0.01'	±.003m	(1:22,500 @ D>225'(69m))	±8"
A-1	1:10,000	±0.01'	±.003m	(1:15,000 @ D>150'(46m))	±10"
A-2	1:5,000	±0.02'	±.006m	(1:7,500 @ D>150'(46m))	±20"
B	1:1,000	±0.5'	±.15m	(1:1,500 @ D>750'(229m))	±2'
C	±2'	±2'	±.6m		±30'
D	compilation of existing data-NOT A FIELD SURVEY				

Linear accuracies expressed as ''±''apply to distances less than (<) those prescribed as a ratio.

(c) **Vertical Accuracy**

Each survey depicting vertical location shall conform to a Vertical Accuracy Class the tolerance of which is defined as follows:

	Level Loop Closure Greater Than One Mile		Level Loop Closure Less Than One Mile	
Class	Feet	Meters	Feet	Meters
V-1	±.02√M	±.005√K	±.006√N	±.002√N
V-2	±.035√M	±.008√K	±.010√N	±.003√N
V-3	±.05√M	±.012√K	±.020√N	±.006√N

M or K = The length of the level loop in miles/kilometers
N = The number of instrument setups in the level loop

(d) **Topographic Survey Accuracy**

Each Topographic Survey shall conform to a Topographic Accuracy Class the tolerance of which is defined as follows:

Class	Horizontal Position		Contour Interval Test
	Feet	Meters	
T-1	1/40 of map scale	1/1500 of map scale	90% within ½ contour interval
T-2	1/40 of map scale	1/1500 of map scale	80% within ½ contour interval

Classes T-1 and T-2 are to be used for ground survey procedures.

T-3 This class of topographic map applies to photogrammetric maps for which the surveyor provides the horizontal and vertical control. Refer to the ''National Map Standards for Photogrammetric Mapping'' for requirements.

T-D This class of map standard applies to a topographic map compiled from various sources of information not necessarily verified by the surveyor.

In using Topographic Accuracy Class T-1 or T-2, the surveyor is expressing confidence that should a test profile be run in the field, a plotted comparison with a profile scaled from the map shall be in agreement within the above criteria and the remainder shall be within the contour interval.

(Adopted, effective June 21, 1996)

Article III

Monumentation

Sec. 20-300b-12. Boundary monuments and reference markers

(a) A Boundary Monument is an object found or set on a boundary line which preserves and identifies the location of the boundary line on the ground.

(b) A Reference Marker is a permanent supplementary marker found or set close to a boundary with its position with respect thereto indicated.

(Adopted, effective June 21, 1996)

Sec. 20-300b-13. Location requirements

The following standards shall apply to location requirements:

(1) There shall be a minimum of three monuments, markers or a combination thereof.

(2) Each monument or marker found or set shall be adequately described and noted.

(3) Of the three minimum monuments or markers, two shall be within 600 feet (180 meters) of the boundary and each other.

(4) Every point along the boundary, with the exception of meander lines, shall be within 600 feet (180 meters) of a monument or marker.

(Adopted, effective June 21, 1996)

Sec. 20-300b-14. Acceptable monuments and markers

The following shall be acceptable forms of Monuments and Markers:

(1) disks or plugs, made of durable material set in ledge or concrete and marked with a hole or cross;

(2) monuments 4" (10cm) square by 30" (.75m) long (minimum) of stone or reinforced concrete and marked with a hole or a cross. Some ferrous material shall be placed adjacent to the stone monuments as an aid to recovery;

(3) drill holes ⅜" (10mm) diameter by ½" (13mm) deep (minimum) or cross cuts ⅜" (10mm) deep (minimum) in ledge, concrete or the base stones of walls;

(4) metal rods ½" (13mm) O.D. (minimum) or metal pipes ½" (13mm) I.D. (minimum) or bar stock of equivalent cross sectional area, having sufficient length to be deemed permanent;

(5) nails and spikes that are sufficient in size and are set in pavement in a manner so as to be deemed permanent;

(6) foundation corners; and

(7) other materials or objects deemed permanent by the surveyor.

(Adopted, effective June 21, 1996)

Article IV

Research

Sec. 20-300b-15. General

On surveys where the surveyor expresses a property/boundary opinion, the surveyor assumes responsibility for appropriate research. An appropriate examination of the land records and other sources is one which, in the surveyor's professional opinion, reveals the intended boundary locations and other related matters.

(Adopted, effective June 21, 1996)

Sec. 20-300b-16. Land records research

(a) Land Records Research shall include, but not be limited to, the following:

(1) an examination of the record descriptions of the property being surveyed;

(2) an examination of the record descriptions of the adjoining parcels;

(3) an examination of record surveys and subdivision maps of the land being surveyed and of adjoining parcels;

(4) an examination of tax assessor's plats and records;

(5) an examination of pertinent easements and other documents; and

(6) an examination of Probate Court records, when applicable.

(b) All surveys presenting the surveyor's property/boundary opinion, except Dependent Resurveys, shall include a record search of the surveyed property's chain of title, with deeds going back not less than 40 years. Dependent Resurveys shall include a record search of the surveyed property's chain of title with deeds going back at least as old as the date of the survey relied upon.

(c) The 40-year minimum requirement is not to be construed as a flat period of time to search a title. To determine the original intended boundary locations, most surveys require research well beyond the statutory 40-year period.

(d) Identifying the owner of the property on the survey shall not constitute a certification as to the absolute ownership of the property. It shall however, indicate a record name or names in which the property stood at the time of the survey, without stating all the other interests which may pertain to the ownership of the property.

(Adopted, effective June 21, 1996)

Sec. 20-300b-17. Additional research

(a) In cases where the surveyor finds: 1) evidence of an unrecorded map; 2) vagueness or conflict of boundary location; or 3) physical evidence of easements not found of record, the surveyor shall pursue such additional sources of information as the surveyor considers appropriate.

(b) The additional research required is that which, in the surveyor's professional opinion, is sufficient to reveal the location of the boundaries of the subject property and other related matters pertaining to the land. Where properties are poorly described or where the location of the boundaries has become lost or uncertain, the surveyor

may contact adjacent owners or other persons for their knowledge as to the locations of boundary lines.

(Adopted, effective June 21, 1996)

Article V

Map Drafting and Records

Sec. 20-300b-18. Map drafting standards

The following standards shall apply to all survey maps and plans:

(1) the surveyor shall use map-making materials of a durable nature;

(2) all lettering shall be legible when reproduced;

(3) whenever more than one sheet is used, each sheet shall contain clearly labeled match lines and indicate both the number of each sheet and the total number of sheets;

(4) both a word scale and a graphic scale shall be depicted;

(5) a North arrow (with appropriate source reference) shall be depicted on every sheet;

(6) the first note shall state the standards to which the survey was prepared, the applicable Class or Classes of Accuracy, the Type of Survey and the Boundary Determination Category;

(7) when applicable, horizontal datum and vertical datum shall be noted;

(8) mapped features shall be depicted to an accuracy of 1/40 of map scale for surveys in feet and 1/1500 of map scale for surveys performed in metric measure; and

(9) when applicable, documents used in preparation shall be noted.

(Adopted, effective June 21, 1996)

Sec. 20-300b-19. Field and office records

The field notes, original maps, research material and computations shall be retained as a permanent record.

(Adopted, effective June 21, 1996)

Article VI

Signing and Sealing

Sec. 20-300b-20. Signing and Sealing

(a) The signature and embossed seal of the surveyor shall be placed in accordance with Section 20-300-10 of The Regulations of Connecticut State Agencies.

(b) Maps and plans shall include the statement: ‘‘To my knowledge and belief this map is substantially correct as noted hereon’’ above the signature and the printed name and license number of the surveyor below the signature.

(Adopted, effective June 21, 1996)

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Passing Scores on Examinations for Real Estate Broker's License and Real Estate Salesman's License

Sec. 20-314-1. Passing score to attain real estate broker's license

A score of at least 75% must be attained by an applicant in order to pass the personal written examination for a Real Estate Broker's license given by the Department of Consumer Protection or a national testing service.

(Effective April 27, 1983)

Sec. 20-314-2. Passing score to attain real estate salesman's license

A score of at least 70% must be attained by an applicant in order to pass the personal written examination for a Real Estate Salesman's license given by the Department of Consumer Protection or a national testing service.

(Effective April 27, 1983)

Sec. 20-314-3.

Repealed, May 18, 1994.

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Real Estate Licensing

Sec. 20-314a-1. School approval procedure

(a) Each school desirous of offering approved real estate courses shall submit a formal filing of each course seeking approval with the real estate commission. Approved courses shall not be held on the premises of a real estate brokerage office, real estate franchise or appraiser's office.

(b) Each school seeking approval of its real estate broker's courses shall offer to the general public at least the three courses required to meet the minimum broker's qualification. These shall include, but not be limited to the following:

(1) A real estate principles and practices course consisting of not less than sixty classroom hours of study,

(2) real estate appraisal I, entitled residential real estate appraisal, consisting of at least thirty classroom hours of study, and

(3) A real estate course consisting of at least thirty classroom hours of study approved by the commission.

(Effective May 18, 1994; amended February 4, 2004)

Sec. 20-314a-2. Course filing requirements

The filing for each course shall include, but not be limited to the following: (1) detailed course outline, (2) instructors' lecture guidelines, (3) copy of text and related teaching materials, (4) copy of final examination, (5) copy of any quizzes, (6) grading system, (7) copy of affidavits and certificates to be issued, (8) copy of all proposed advertising and publicity, (9) seminars and indoctrination attended by instructors, (10) locations of all classrooms, (11) names and addresses of all instructors to be used.

(Effective November 29, 1978)

Sec. 20-314a-3. Instructor approved

Each request for the approval of an instructor shall be made in writing together with a resume of the individual setting forth specific real estate education and experience. Instructors shall possess the following minimum qualifications:

(1) Five years of experience as a practicing broker or a professional designation from an institute or society in the field the proposed instructor wishes to teach, or

(2) Experience in teaching a course in a formal education program or attendance at an accredited college or university extension instructors seminar. For collegiate level courses in degree programs, the instructor should have teaching experience plus a master's degree in an appropriate field or such other combination of qualifications as the commission may approve.

(Effective November 29, 1978)

Sec. 20-314a-4. Principles and practice course

The real estate principles and practice course shall consist of a minimum of sixty hours of classroom instruction and shall include, but not be limited to the following subject matter:

(1) real estate law,

(2) brokerage,

(3) Connecticut real estate licensing laws and regulations,

(4) equal opportunity in housing,

(5) real estate valuation,

(6) financing,

(7) specialized fields of real estate practice,

(8) development,
(9) land use regulations,
(10) taxation,
(11) market analysis,
(12) the real estate business.
(Effective November 29, 1978; amended February 4, 2004)

Sec. 20-314a-5. Appraisal I course

(a) The real estate appraisal I course, entitled residential real estate appraisal, shall consist of a minimum of thirty hours of classroom instruction and shall include, but not be limited to, the following subject matter: (1) nature of appraisals and appraising, (2) nature and principles of real estate value, (3) the appraisal framework, (4) region, neighborhood and site analysis, (5) improvements analysis, (6) site valuation, (7) direct sales comparison, (8) gross rent multiplier analysis, (9) cost analysis, (10) correlation and final value estimate, (11) appraisal report writing, and (12) professional ethics and standards of practice for appraisers.

(b) The real estate appraisal II course, entitled income-producing real estate appraisal, shall consist of a minimum of thirty hours of classroom instruction and shall include, but not be limited to, the following subject matter: (1) income capitalization approach, (2) income expectancy, (3) relationship of income and value, (4) analysis of market evidence, (5) direct capitalization, (6) mathematics of finance and compound interest tables, (7) lease interests, (8) mortgage equity capitalization, (9) internal rate of return, (10) discounting procedures, (11) cash flow analysis, and (12) ethics and professional standards.
(Effective July 19, 1990)

Sec. 20-314a-6. Related courses

All related courses seeking approval shall consist of a minimum of thirty hours of classroom instruction and include, but not be limited to the fundamentals expected to be obtained from such course. Said course content shall be approved on an individual basis.
(Effective November 29, 1978)

Sec. 20-314a-7. Advertising guidelines

All schools advertising approved courses shall comply with the following guidelines:

(1) All advertising materials shall be submitted prior to publication,

(2) All advertising and notices shall tell the truth and reveal significant facts, the concealment of which would mislead the public,

(3) Advertisers and their agents shall be willing to provide substantiation of claims made,

(4) All advertising and public notices shall be free of statements, illustrations or implications which do not enhance the dignity and integrity of the real estate profession,

(5) All facilities offering services shall refrain from attacking competitors unfairly or disparaging their services or methods of operations,

(6) All advertising and written or oral statements shall avoid the use of exaggerated or unprovable claims and misrepresentations. In discussing the student's possible or potential economic future in the field of real estate only reasonable claims may be made,

(7) No unfounded guarantee shall be offered. All notices shall clearly and conspicuously disclose the full nature of services offered,

(8) False or misleading claims as to tuition and other course costs shall be clearly avoided,

(9) Material containing testimonials shall be clearly limited to those individuals reflecting their own personal experiences,

(10) In any advertising all schools are to refrain from using the wording ''Approved by the Connecticut Real Estate Commission.'' The following wording may be used: ''This course meets the minimum requirements as set forth by the real estate commission,''

(11) The size of type setting forth the wording in item 10 of this section no larger than the smaller type used in the advertisement,

(12) All locations where courses are offered must be submitted to the real estate commission for prior approval.

(Effective November 29, 1978)

Sec. 20-314a-8. Affidavit or certificate requirements

No affidavit or certificate of successful completion of an approved course of study in real estate shall be issued to any student unless said student shall have first attended a minimum of thirty hours of classroom instruction, except in the case of principles and practice, where attendance shall be a minimum of sixty hours, and shall have achieved a passing numerical grade of at least 70% on a final examination. Each school shall issue an affidavit to the student in such form as may be adopted by the school attesting to the required minimum attendance, dates of attendance, school code and final numerical grade for the course. Said affidavit is to be signed by an authorized official of the school.

(Effective November 29, 1978; amended February 4, 2004)

Sec. 20-314a-9. Course approval by commission

Each school conducting an approved course shall, at least ten days prior to the first scheduled session of each course, submit to the commission a schedule of the dates, hours, locations, advertising and instructors for each course to be offered. No courses shall commence or be advertised as approved nor shall an instructor be used in the classroom without prior written approval of this commission. There shall be no change or alteration in any approved course or instructional staff without prior written notice and approval of the commission.

(Effective November 29, 1978)

Sec. 20-314a-10. Records

All schools conducting approved courses shall keep and retain complete records of student attendance and grades for a period of at least three years after the completion of each course and such records shall be available for inspection by the commission.

(Effective November 29, 1978)

Sec. 20-314a-11. Commission visits

The commission may, without prior notice, visit the school and observe the instruction given to insure proper standards as to method and content of any approved courses.

(Effective November 29, 1978)

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Continuing Education for Real Estate Brokers and Salesmen

Sec. 20-319-1. School and course approval

(a) Each school, institution or organization desirous of offering courses of real estate continuing education shall submit a formal filing for each course for which approval is sought to the Connecticut Real Estate Commission.

(b) The filing for each course shall include, but not be limited to, the following:

(1) detailed course outline;

(2) instructors' lecture guidelines;

(3) copy of text and/or related teaching materials;

(4) copy of affidavits and certificates to be issued by the school, institution or organization upon completion of the course other than that prescribed by the commission,

(5) copy of all proposed advertising;

(6) locations of all classrooms, unless the course is a distance education course;

(7) names and addresses of all instructors to be used; and

(8) tuition and other related costs.

(c) No course of less than three (3) hours will be approved.

(d) No distance education course shall be permitted, unless such course has received a distance education certification from the association of real estate license law officials (Arello).

(e) Each school, institution or organization shall submit an updated course filing containing any changes from the previous offering within each two (2) year period from original approval date.

(Effective June 29, 1984; amended February 4, 2004)

Sec. 20-319-2. Notification of course offering and locations

(a) Each school, institution or organization conducting an approved course shall, at least ten (10) days prior to the first scheduled session of each course submit to the commission a schedule of the dates, hours, locations, tuition fees and instructors for each course to be offered. No courses shall commence or be advertised as approved, without prior written approval of the commission. There shall be no change or alteration in any approved course without prior written notice and approval of the commission. Course approval may be withdrawn for failure to comply with the provisions of Sections 20-319-1 through 20-319-9 of the Regulations of Connecticut State Agencies.

(b) Identification of all locations where courses are offered must be submitted to the Connecticut Real Estate Commission for prior approval. Each course of study, except distance education courses, shall be offered in a classroom or other facility which is adequate to implement the offering. Approved courses shall not be held on the premises of a real estate brokerage office or real estate franchise. Classroom locations shall be approved by the local Fire Marshal for such use.

(Effective June 29, 1984; amended February 4, 2004)

Sec. 20-319-3. Course content

(a) The contents of continuing education programs shall consist of current real estate licensing laws and practices that are broad-based and essential to the role of a real estate general practitioner as he or she acts in the best interests of the consumer. These contents shall directly relate to real estate principles and practices such as described in the Connecticut Real Estate Licensing Laws and Regulations and any

overview text on real estate principles and practices or to new developments in the field for which licensees have a demonstrated need.

(b) Real estate brokers and salespersons shall take courses consisting of at least twelve (12) classroom hours in each two (2) year continuing education period.

The following course shall be mandated unless otherwise directed by the real estate commission:

One course consisting of at least three (3) classroom hours in current real estate and fair housing legislation, licensing laws and regulations.

(c) The commission shall not approve offerings in mechanical office and business skills such as typing, speed-reading, memory development, personal motivation, salesmanship, sales psychology, nor sales promotions or other meetings held in conjunction with the general business of a salesperson's broker. Generally acceptable courses may include, but shall not be limited to:

(1) Fair Housing Laws;
(2) Ethics;
(3) Finance;
(4) Appraisal;
(5) Management;
(6) Planning and Zoning;
(7) Securities and Syndications;
(8) Investment Analysis;
(9) Common Interest Ownership;
(10) Interstate Land Sales;
(11) Taxes and Liens;
(12) Title Closing;
(13) Real Estate Documents; and
(14) Real Estate Math.

(d) Courses completed prior to certification by the Connecticut Real Estate Commission may not qualify for continuing education Hours.

(e) Continuing education hours shall not be approved more than once for completing the same course within each two (2) year continuing education period.

(Effective May 18, 1994; amended April 1, 1997, June 5, 2002)

Sec. 20-319-4. Advertising

All schools advertising courses shall comply with the following requirements:

(a) All advertising materials shall be submitted to the commission prior to publication;

(b) All advertising and notices shall not be deceptive or misleading and shall reveal significant facts, the concealment of which would mislead the public;

(c) Advertisers and their agents shall substantiate claims made in an advertisement upon request of the commission;

(d) All advertising and written or oral statements shall avoid the use of exaggerated or unprovable claims and misrepresentations. In discussing the student's possible or potential economic future in the field of real estate, only reasonable claims may be made;

(e) No unfounded guarantee shall be offered. All notices shall clearly and conspicuously disclose the full nature of services offered;

(f) False or misleading claims as to tuition and other course costs are prohibited;

(g) Material containing testimonials shall be clearly limited to those individuals reflecting their own personal experiences;

(h) In any advertising all schools are to refrain from using the wording ''Approved by the Department of Consumer Protection/Real Estate Commission'' or other like wording. The following wording may be used: ''This course meets the minimum requirements as set forth by the Department of Consumer Protection/Real Estate Commission''; and

(i) The size of type setting forth the wording in item (h) of this section shall be no larger than the smaller type used on the advertisement.

(Effective June 29, 1984)

Sec. 20-319-5. Records

(a) All schools, institutions or organizations conducting approved courses shall keep and retain complete records of student attendance and evidence of completion for a period of at least four (4) years after the completion of each course. Such records shall be available for inspection by the commission. Upon satisfactory completion of any approved course, a certificate, as prescribed by the commission, will be furnished by the school, institution or organization to the student.

(b) The burden of proof of completion of each course shall be upon the licensee. Documentation of such courses shall be submitted in such manner and at such times as prescribed by the commission.

(Effective June 29, 1984)

Sec. 20-319-6. Equivalent continuing education experience and study

(a) Courses approved by the Connecticut Real Estate Commission pursuant to sections 20-314a-4, 20-314a-5 or 20-314a-6 of the regulations may be deemed equivalent for purposes of continuing educational study.

(b) Any other continuing educational courses taken by the licensee shall be considered by the commission on an individual basis. Evidence of such courses must be submitted 90 days prior to the end of each two (2) year continuing education period.

(c) Instructing an approved continuing education course or courses taught pursuant to sections 20-314a-4, 20-314a-5 or 20-314a-6 of these regulations shall be deemed equivalent for purposes of continuing educational experience. Continuing education credit for such instruction shall not be accepted by the Connecticut Real Estate Commission if for less than three (3) hours. Continuing education hours shall not be approved more than once for instructing the same course within each two (2) year continuing education period.

(Effective June 29, 1984; amended February 4, 2004)

Sec. 20-319-7. Written exam

The written exam option as provided by section 20-319 (a) (2) of the General Statutes will be conducted by either the Department of Consumer Protection or a national testing service at the time, place and dates prescribed by the department or such national testing service. Such exam will cover current real estate practices and licensing laws.

(Effective June 29, 1984; amended February 4, 2004)

Sec. 20-319-8. Hardship

Upon appropriate showing of a bona fide health, or other individual hardship, the commission may consider an exception to the continuing education requirements as set forth in section 20-319 of the General Statutes.

(a) Loss of income resulting from cancellation of a license is not a bona fide hardship.

(b) Requests for exceptions shall be submitted in writing not less than 60 days prior to the date of license renewal and shall include an explanation and verification of the hardship.

(c) Exceptions may include but not be limited to:

(1) individuals serving in military service; and

(2) individuals who are physically handicapped which handicap prohibits them from sitting for an exam or attending courses.

(Effective June 29, 1984; amended February 4, 2004)

Sec. 20-319-9. Hearings on denial of school or course approval

(a) Upon the refusal of the commission to approve a school, institution or organization for the offering of continuing education courses or a particular course or upon the decision of the Connecticut Real Estate Commission to withdraw such approval, the commission shall notify the applicant of the denial and of his right to request a hearing within ten (10) days from the date of receipt of the notice of denial.

(b) In the event the applicant requests a hearing within such ten (10) days, the commission shall give notice of the grounds for his refusal and shall conduct a hearing concerning such refusal in accordance with the provisions of Chapter 54 of the General Statutes concerning contested matters.

(Effective June 29, 1984)

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Fees Charged by Real Estate Brokers and Salesmen

Sec. 20-325c-1. Definitions

As used in Sections 1 to 5, inclusive, of these regulations:

(a) ''Buyer'' means any buyer of residential real property.

(b) ''Broker'' means any real estate broker or real estate salesman as defined in section 20-311 of the Connecticut General Statutes and any person affiliated with such real estate broker or salesman.

(Effective May 17, 1990)

Sec. 20-325c-2. Scope of regulations

Any fee, commission or other valuable consideration received by a broker for negotiating, soliciting, arranging, placing or finding a first mortgage loan for a buyer of residential real property, which is in addition to the consideration received by such broker for the sale of such property, shall be in accordance with these regulations.

(Effective May 17, 1990)

Sec. 20-325c-3. Written agreement

Prior to the accrual of any charges for mortgage brokering services performed by a broker on behalf of a buyer, the broker and buyer shall execute a written agreement. The terms of the agreement, in addition to any disclosures required by law, shall include, but not be limited to, the amount, term and type of first mortgage loan that the buyer seeks to obtain, the maximum rate of interest and number of points that a buyer would pay, an approximate loan closing date, the hourly rate upon which the fee, commission, or other valuable consideration to be received by a broker is based and a description of the manner in which any such fee, commission or other valuable consideration will be determined. The agreement shall specify that a buyer who finds a loan without the assistance of the broker or who does not consummate the purchase of the property will not be obligated to pay any consideration to the broker. Amendments to the agreement shall be in writing and signed by the parties.

(Effective May 17, 1990)

Sec. 20-325c-4. Fee, commission, consideration

Any fee, commission or other valuable consideration received by a broker for assisting a buyer in obtaining a first mortgage loan shall be based on a reasonable hourly rate. An hourly rate may accrue for any bona fide activity performed by the broker when negotiating, soliciting, arranging, placing or finding a first mortgage loan for a buyer, including, but not limited to, the time spent with the buyer discussing financing options, completing applications, negotiating with prospective lenders, and performing underwriting activities.

(Effective May 17, 1990)

Sec. 20-325c-5. Itemized invoice required

The broker shall maintain a written record of the amount of time spent in negotiating, soliciting, arranging, placing or finding a first mortgage loan for a buyer. In addition, prior to the receipt of any fee, commission or other valuable consideration, the broker shall provide the buyer with an itemized invoice of the services rendered, which shall include the hourly rate and the number of hours or fractions thereof spent on each service. A copy of the invoice and written record shall be maintained by the broker for a period of two years from the date of the invoice.

(Effective May 17, 1990)

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Real Estate Brokers and Salesmen

Sec. 20-325d-1. Definitions

For the purposes of Sections 20-325d-1 through 20-325d-7, inclusive, of these regulations, the following terms shall have the meanings indicated:

(a) ''Broker'' or ''Real estate broker'' means ''real estate broker'' as this term is defined by Connecticut General Statutes Section 20-311(1), as amended;

(b) ''Salesman'' or ''Real estate salesman" means ''real estate salesman'' as this term is defined by Connecticut General Statutes Section 20-311(2), as amended;

(c) ''Seller's Agent'' or ''Agent of the seller'' means a real estate broker or real estate salesman who acts in a fiduciary capacity for the prospective seller or prospective lessor in a real estate transaction;

(d) ''Buyer's agent'' or ''Agent of the buyer'' means a real estate broker or real estate salesman who acts in a fiduciary capacity for the prospective buyer or prospective lessee in a real estate transaction;

(e) ''Dual agent'' means a real estate broker or real estate salesman who acts in a fiduciary capacity for both the prospective seller or prospective lessor and the prospective buyer or prospective lessee in a real estate transaction; and

(f) ''Licensee'' means real estate broker and/or real estate salesman.

(Effective February 22, 1991; amended September 28, 1995)

Sec. 20-325d-2. Agency disclosure

(a) A real estate broker or real estate salesman, when acting as a seller's agent, shall make a written disclosure of whom the brokerage firm and its agents represent to prospective buyers or lessees, unless such prospective buyer or lessee is represented by another real estate broker. A real estate broker or real estate salesperson, when acting as a buyer's agent, shall make a written disclosure of whom the brokerage firm and its agents represent to prospective sellers or lessors, unless such prospective seller or lessor is represented by another real estate broker. The disclosure shall be in one of the following forms:

Form 1

Dual Agency/Designated Agency
Disclosure Notice and Consent Agreement
Given to Persons Represented by the Same Brokerage Firm

Brokerage Firm: _____

Property Address: _____

Buyer (tenant): _____

Seller (landlord): _____

The brokerage firm has entered into a written agency relationship with both buyer and seller (or tenant and landlord). Buyer (tenant) is now interested in buying (leasing) seller's (landlord's) property. If this transaction proceeds, the brokerage firm will be a dual agent, since the brokerage firm represents both parties. Connecticut law allows a brokerage firm to be a dual agent, but only after both buyer and seller (or tenant and landlord) understand what dual agency is and consent to it.

Connecticut law also allows brokerage firms that are dual agents to appoint individual designated agents **within their firm to solely represent buyer and**

seller (or tenant and landlord); again, this designation can only be made after both buyer and seller (or tenant and landlord) understand what designated agency is and consent to it.

Both buyer and seller (or tenant and landlord) are free to seek legal and tax advice with regard to this transaction, and with regard to all documents signed in connection with this transaction.

Understanding dual agency

Dual agency means that the brokerage firm, and all the brokers and salespersons for the firm (unless designated agency is chosen) act in a fiduciary capacity for both buyer and seller (or tenant and landlord). In dual agency, the brokerage firm does not represent either the buyer or seller (or tenant or landlord) exclusively, and the parties can not expect the brokerage firm's undivided loyalty.

The brokerage firm may not disclose to either the buyer or seller (or tenant or landlord) any personal, financial, or confidential information to the other party except as authorized by either party or required by law. The brokerage firm may not disclose, unless otherwise instructed by the respective party:

- To buyer (tenant) that seller (landlord) will accept less than the asking or listed price;
- To the seller (landlord) that the buyer (tenant) can pay a price greater than the price submitted in a written offer to the seller, unless otherwise instructed to do so in writing by the buyer (tenant);
- The motivation of either buyer or seller (or tenant or landlord) for selling, buying, leasing the property; and
- That buyer or seller will agree to financing terms other than those offered.

Dual agency consent

Buyer and seller (or landlord and tenant) understand dual agency and consent to the brokerage firm acting as a dual agent in this transaction.

Understanding designated agency

Designated agency means the appointment by the brokerage firm of one broker or salesperson (referred to as agent) affiliated with or employed by the brokerage firm to solely represent buyer (tenant) as a designated buyer's agent and appoint another to solely represent seller (landlord) as a designated seller's agent in this transaction.

A designated buyer's agent and designated seller's agent owe the party for whom they have been appointed undivided fiduciary obligations, such as loyalty, reasonable care, disclosure, obedience to lawful instruction, confidentiality and accountability. **The designated agent is not deemed to be a dual agent**, and thus does not owe fiduciary duties to the other party. A designated agent may use confidential information obtained about the other party while a designated agent for the benefit of the party for whom they have been appointed, however, information obtained before the designation is still confidential. In the case of designated agency, the brokerage firm is still considered a dual agent.

Appointment of designated agents

Buyer and seller (or landlord and tenant) understand designated agency and have agreed to the appointment of designated agents.

If designated agency has been agreed to, the following designated agents have been appointed:

_____ has been designated to solely represent buyer (tenant) as a designated buyer agent.

_____ has been designated to solely represent seller (landlord) as a designated seller agent.

Appointing broker/authorized agent: _____

Date: _____

Acknowledgment of buyer (tenant)	**Acknowledgement of seller (landlord)**
_____	_____
_____	_____
Signature(s) *Date*	*Signature(s)* *Date*
_____	_____
_____	_____
Print name(s)	*Print name(s)*

Form 2

Real Estate Agency Disclosure Notice
Given to Unrepresented Persons

This is not a contract. Connecticut law requires that you be given this notice disclosing whom the real estate licensee represents. The purpose of such disclosure is to enable you to make informed choices about your relationship with real estate licensees.

Given to: _____ (Unrepresented person/persons)
on _____ (date)
Our firm _____ represents ❑ Seller ❑ Landlord ❑ Buyer ❑ Tenant

Unrepresented Person(s)'s Rights and Responsibilities

1. The brokers and salespersons (referred to as agents or licensees) in this transaction owe the other party to this transaction undivided fiduciary obligations, such as: loyalty, reasonable care, disclosure, obedience to lawful instruction, confidentiality and accountability. The agent(s) must put the other party's interest first and negotiate for the best terms and conditions for them, not for you.

2. All real estate agents, whether representing you or not, are obligated by law to treat all parties to a real estate transaction honestly and fairly.

3. You have the responsibility to protect your own interests. Carefully read all agreements to make sure they accurately reflect your understanding. If you need additional advice for legal, tax, insurance or other such matters, it is your responsibility to consult a professional in those areas.

4. Whether you are a buyer, seller, tenant, or landlord, you can choose to have the advice, assistance and representation of your own real estate brokerage firm and its agents. Do not assume that a real estate brokerage firm or its agents are representing you or are acting on your behalf *unless you have contracted in writing* with that real estate brokerage firm.

Acknowledgment of unrepresented person(s)*
Acknowledgement of agent

_____	_____
Signature(s)	*Signature*
_____	_____
Print name(s)	*Print name*
Date: _____	Date: _____

*To be signed by the buyer/tenant when the agent represents the seller/landlord, or To be signed by the seller/landlord when the agent represents the buyer/tenant

(b)(i) A real estate broker or real estate salesperson, when acting as a dual agent, shall make a written disclosure of dual agency to all parties by using the dual agency consent agreement, Connecticut General Statutes section 20-325g, or the dual agency designated agency disclosure notice and consent agreement as set forth in the Connecticut regulations concerning designated agency.

(ii) Real estate brokers who represent both buyers and sellers shall disclose the potential for a dual agency situation in their listing agreements and buyer agency agreements.

(Effective February 22, 1991; amended September 28, 1995, June 5, 2002)

Secs. 20-325d-3—20-325d-4.

Repealed, September 25, 1995.

Sec. 20-325d-5. Time of disclosure

(a) Any licensee acting as a seller's agent or intending to act as a seller's agent shall give the disclosure required by Section 20-325d-2 of these regulations to the prospective buyer or lessee at the beginning of the first personal meeting concerning the prospective buyer's or lessee's specific real estate needs. The disclosure shall be signed by the prospective buyer or lessee and the broker or salesman, and shall be attached to any offer, binder, option, agreement to purchase or lease. If the prospective buyer or lessee refuses to sign the disclosure, the seller's agent shall note this refusal on the line indicated for the prospective buyer' s or lessee' s signature.

(b) Any licensee acting as a buyer's agent or intending to act as a buyer's agent shall give the disclosure required by Section 20-325d-2 of these regulations to the seller or lessor or to the seller' s or lessor's agent at the beginning of the first personal meeting with the seller or lessor or the seller's or lessor's agent concerning

the seller's or lessor's real property. The disclosure shall be signed by the seller or lessor, or the seller's or lessor's agent, and the prospective buyer's agent, and shall be attached to any offer, binder, option, agreement to purchase or lease. If the seller, lessor or seller's or lessor's agent refuses to sign the disclosure, the prospective buyer's agent shall note this refusal on the line indicated for the seller's, lessor's or seller's or lessor's agent's signature.

(Effective February 22, 1991; amended September 28, 1995, June 5, 2002)

Sec. 20-325d-6. Disclosure by cooperating licensees

(a) The notices required by Connecticut General Statutes Section 20-325d need only be given once to each prospective seller, lessor, buyer or lessee by a real estate licensee.

(b) Any licensee acting as a cooperating licensee shall be responsible for providing the notice required by Connecticut General Statutes Section 20-325d, unless no cooperating licensee is involved, in which case the seller's or buyer's agent or the dual agent shall be responsible for providing the notice.

(Effective February 22, 1991; amended September 28, 1995)

Sec. 20-325d-7. Open houses, auctions

(a) The disclosure to prospective buyers or lessees required by Connecticut General Statutes Section 20-325d need not be given to individuals who attend an open house, provided that:

(1) the licensee, by sign, poster, pamphlet or other similar means, conspicuously discloses the licensee's agency relationship; and

(2) no personal meeting concerning the prospective buyer's or lessee's specific real estate needs is held. If such a meeting is held, the written disclosure shall be given at the beginning of the meeting.

(b) The disclosure to prospective buyers or lessees required by Connecticut General Statutes Section 20-325d need not be given to individuals who attend a real estate auction, provided that:

(1) the licensee, by sign, poster, pamphlet or other similar means, conspicuously discloses the licensee's agency relationship; and

(2) the licensee provides the disclosure to the successful bidder prior to the time a written offer to purchase is executed.

(Effective February 22, 1991; amended September 28, 1995)

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Residential Property Condition Disclosure Report

Residential property condition disclosure report 20-327b-1

Residential Property Condition Disclosure Report

Sec. 20-327b-1. Residential property condition disclosure report

The following form shall be used by sellers who are required by Section 20-327b of the Connecticut General Statutes to provide a written residential property condition disclosure report to prospective purchasers.

STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION
165 Capitol Avenue ◆ Hartford, CT 06106

RESIDENTIAL PROPERTY CONDITION DISCLOSURE REPORT

Name of Seller(s):
Property Street Address:
Property Municipality: Zip Code:

The Uniform Property Condition Disclosure Act (Connecticut General Statutes Section 20-327b) requires the seller of residential property to provide this disclosure to the prospective purchaser prior to the prospective purchaser's execution of any binder, contract to purchase, option or lease containing a purchase option. These provisions apply to the transfer of residential real property of four dwelling units or less made with or without the assistance of a licensed broker or salesperson. The seller will be required to credit the purchaser with the sum of $300.00 at closing if the seller fails to furnish this report as required by said act.

Connecticut law requires the owner of any dwelling in which children under the age of 6 reside to abate or manage materials containing toxic levels of lead.

Pursuant to the Uniform Property Condition Disclosure Act, the seller is obligated to answer the following questions and to disclose herein any knowledge of any problem regarding the following:

YES	NO	UNKN		I. GENERAL INFORMATION
			1.	How long have you occupied the property? _____ Age of Structure: _____
❑	❑	❑	2.	2. Does anyone other than yourself have any right to use any part of your property, or does anyone else claim to own any part of your property? If yes, explain: _____
❑	❑	❑	3.	Is the property in a flood hazard area or an inland wetlands area? If yes, explain: _____
❑	❑	❑	4.	Do you have any reason to believe that the municipality in which the subject property is located may impose any assessment for purposes such as sewer installation, sewer improvements, water main installation, water main improvements, sidewalks or other improvements? If yes, explain: _____

YES	NO	UNKN		
❑	❑	❑	5.	Is the property located in a municipally designated village district, municipally designated historic district, or special tax district, or listed on the National Register of Historic Places? If yes, explain: _____ _____ Special statement: Information concerning village districts and historic districts may be obtained from the municipality's village or historic district commission, if applicable.
YES	NO	UNKN		II. SYSTEM/UTILITIES
❑	❑	❑	6.	Heating system problems? If yes, explain and list fuel types. _____ _____ a. Is there an underground fuel tank? If yes, give age of tank if known, and location. _____ _____ b. Are you aware of any problems with the fuel tank? If yes, explain: _____ _____
❑	❑	❑	7.	Hot water problems? If yes, explain: _____ _____ Type of hot water heater _____ Age _____
❑	❑	❑	8.	Plumbing system problems? If yes, explain: _____ _____
❑	❑	❑	9.	Sewage system problems? If yes, explain: _____ _____ Type of sewage disposal system (central sewer, septic, cesspool, etc.) _____ a. If private: (a) Name of service company _____ (b) Date last pumped ____ Frequency ____ b. If public: (1) Is there a separate charge made for sewer use? Yes ____ No ____ (2) If separate charge, is it a flat amount or metered? _____ (3) If flat amount, please state amount and due dates: _____ (4) Are there any unpaid sewer charges? Yes ____ No ____ If yes, state the amount: _____
❑	❑	❑	10.	Air conditioning problems? If yes, explain: _____ _____ Air Conditioning type: Central ____ Window _____ Other _____
❑	❑	❑	11.	Electrical System problems? If yes, explain: _____ _____

❑ ❑ ❑ 12. Are you aware of any problem with the well or domestic water quality, quantity, recovery, and/or pressure? If yes, explain: _____

a. Was well water tested for contaminants/volatile organic compounds? If yes, attach a copy of the report.

b. Are there any unpaid water charges? If yes, state the amount: _____

c. Is there a separate expense for water usage? If yes, state if flat or metered, give the amount and explain: _____

❑ ❑ ❑ 13. Electronic security problems? If yes, explain: _____

❑ ❑ ❑ 14. Carbon monoxide or smoke detector problems? If yes, explain: _____

❑ ❑ ❑ 15. Fire sprinkler system problems? If yes, explain: _____

YES	NO	UNKN		III. BUILDING/STRUCTURE/IMPROVEMENTS

❑ ❑ ❑ 16. Foundation/slab problems/settling? If yes, explain: _____

❑ ❑ ❑ 17. Basement Water/Seepage/Dampness? If yes, explain amount, frequency and location. _____

❑ ❑ ❑ 18. Sump pump problems? If yes, explain: _____

❑ ❑ ❑ 19. Roof leaks, problems? If yes, explain: _____
Roof type: _____ Age _____

❑ ❑ ❑ 20. Interior walls/ceiling problems? If yes, explain: _____

❑ ❑ ❑ 21. Exterior siding problems? If yes, explain: _____

❑ ❑ ❑ 22. Floor problems? If yes, explain: _____

❑ ❑ ❑ 23. Chimney/fireplace/wood or coal stove problems? If yes, explain: _____

❑ ❑ ❑ 24. Fire/smoke damage? If yes, explain: _____

❑ ❑ ❑ 25. Patio/deck problems? If yes, explain: _____

If made of wood, is wood treated or untreated? _____

❑ ❑ ❑ 26. Driveway problems? If yes, explain: _____
_____

❑ ❑ ❑ 27. Termite/insect/rodent/pest infestation problems? If yes, explain: _____
_____

❑ ❑ ❑ 28. Is house insulated? If yes, type _____
Location _____

❑ ❑ ❑ 29. Rot and water damage problems? If yes, explain: ___
_____

❑ ❑ ❑ 30. Water drainage problems? If yes, explain: _____
_____

❑ ❑ ❑ 31. Are asbestos containing insulation or building materials present? _____
If yes, location _____

❑ ❑ ❑ 32. Is lead paint present? If yes, location _____
_____

❑ ❑ ❑ 33. Is lead plumbing present? If yes, location _____
_____

❑ ❑ ❑ 34. Has test for radon been done? If yes, attach copy of report.
State whether a radon control system is in place, or whether a radon control system has been in place in the previous twelve months. If yes, explain. _____
_____

❑ ❑ ❑ 35. Does the property include any leased items? If yes, explain.
(Items to be listed include, but are not limited to: propane fuel tanks, water heaters, major appliances, alarm systems and solar devices.) _____
_____
_____

❑ ❑ ❑ 36. Is the property subject to any types of land use restrictions, other than those contained within the property's chain of title or that are necessary to comply with state laws or municipal zoning? If yes, explain.
_____
_____

The Seller should use this area to further explain any item above. Attach additional pages if necessary and indicate here _____ the number of additional pages attached.

I. Seller's Certification

To the extent of the Seller(s) knowledge as a property owner, the Seller acknowledges that the information contained above is true and accurate for those areas of the property listed. In the event a real estate broker or salesperson is utilized, the Seller authorizes the broker or salesperson to provide the above information to prospective buyers, selling agents or buyer's agents.

Date _____ Seller _____ Seller _____
{Signature} {Type or Print}

Date _____ Seller _____ Seller _____
{Signature} {Type or Print}

II. Responsibilities of Real Estate Brokers

This report in no way relieves a real estate broker of his or her obligation under the provisions of Section 20-328-5a of the Regulations of Connecticut State Agencies to disclose any material facts. Failure to do so could result in punitive action taken against the broker, such as fines, suspension or revocation of license.

III. Statements Not to Constitute a Warranty

Any representations made by the seller on this report shall not constitute a warranty to the buyer.

IV. Nature of Disclosure Report

This residential disclosure report is not a substitute for inspections, tests, and other methods of determining the physical condition of the property.

V. Information on the Residence of Convicted Felons

Information concerning the residence address of a person convicted of a crime may be available from law enforcement agencies or the department of public safety.

VI. Buyer's Certification

The buyer is urged to carefully inspect the property and, if desired, to have the property inspected by an expert. The buyer understands that there are areas of the property for which the seller has no knowledge and this disclosure statement does not encompass those areas. The buyer also acknowledges that the buyer has read and received a signed copy of this statement from the seller or seller's agent.

Date _____ Buyer _____ Buyer _____
{Signature} {Type or Print}

Date _____ Buyer _____ Buyer _____
{Signature} {Type or Print}

Questions or Comments? Consumer Problems? Call the Department of Consumer Protection at 1-800-842-2649
www.ct.gov/dcp

(Adopted effective January 1, 1996; amended June 5, 2002, January 10, 2011)

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Real Estate Brokers and Salesmen

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Real Estate Brokers and Salesmen

Secs. 20-328-1—20-328-10.

Repealed, May 18, 1990.

Sec. 20-328-1a. Definitions

For purposes of Sections 20-328-1a through 20-328-10a, the following terms shall have the meanings indicated:

(a) ''Blockbusting'' means to induce or attempt to induce a person to sell or rent a dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, creed, religion, color, national origin, ancestry, sex, familial status, marital status, age, sexual orientation, lawful source of income, learning disability, mental retardation or physical or mental disability, including but not limited to blindness or deafness;

(b) ''Broker'' or ''Real estate broker'' means ''real estate broker'' as this term is defined by Connecticut General Statutes, Section 20-311 (1), as amended;

(c) ''Commercial real estate transaction'' means ''Commercial real estate transaction'' as defined in Connecticut General Statutes, Section 20-311(9) as amended;

(d) ''Licensee'' means ''Real estate broker'' or ''real estate salesman'' as these terms are defined by Connecticut General Statutes, Section 20-311 (1) and (2);

(e) ''Net listing'' means a listing contract in which the broker receives as a commission all excess moneys over and above the minimum sales price agreed upon by the broker and seller;

(f) ''Salesperson'' or ''Real estate salesperson'' means ''real estate salesperson'' as this term is defined by Connecticut General Statutes, Section 20-311 (2); and

(g) ''Steering'' means to restrict or attempt to restrict, because of race, creed, religion, color, national origin, ancestry, sex, familial status, marital status, age, sexual orientation, lawful source of income, learning disability, mental retardation or physical or mental disability, including but not limited to blindness or deafness, the choices of a person by word or conduct in connection with seeking, negotiating for, buying or renting a dwelling so as to perpetuate, or tend to perpetuate, segregated housing patterns, or to discourage or obstruct choices in a community, neighborhood or development.

(h) ''Advertising'' means all forms of identification, representation, promotion and solicitation disseminated in any manner and by any means of communication to the public for any purpose related to engaging in the real estate business.

(Effective May 18, 1990; amended September 28, 1995, June 5, 2002, February 4, 2004)

Sec. 20-328-2a. Duties to parties

(a) A licensee shall not undertake to provide professional services concerning a property or its value where the licensee has a present or contemplated interest unless such interest is specifically disclosed to all affected parties.

(b) A licensee shall not acquire an interest in or buy for himself or herself, any member of the licensee's immediate family, the licensee's firm or any member thereof, or any entity in which the licensee has a substantial ownership interest, property listed with the licensee, without disclosing to the listing owner the licensee's relationship to the prospective buyer or lessee. In selling or leasing property owned by the licensee or in which the licensee has any interest, the licensee shall reveal the extent of his or her ownership or interest to the prospective buyer or lessee.

(c) A licensee accepting an exclusive right to sell or lease listing or an exclusive agency to sell or lease listing shall make a diligent effort to sell or lease the property

listed. A licensee who agrees to become an exclusive agent of a prospective buyer or lessee shall make a diligent effort to find a property within the prospective buyer's or lessee's specifications.

(d) No licensee shall submit to an owner a written offer to purchase or lease real property unless either (1) such offer contains the essential terms and conditions of the offer, including the manner in which the purchase is to be financed; or (2) such offer is conditioned upon the later execution of a bond for deed or complete agreement for sale. No licensee shall submit to an owner a written agreement or a bond for deed for the sale of real estate which contains a mortgage contingency clause which conditions the prospective buyer's performance on obtaining a mortgage from a third party unless the contingency clause includes at least the following: (1) the principal amount of the mortgage the prospective buyer must obtain; (2) the time period within which the mortgage commitment must be obtained; and (3) the term of years of the mortgage.

(e) (1) The listing real estate broker shall submit all offers or counter-offers to the seller, owner or lessor as quickly as possible. Unless the listing real estate broker and the seller, owner or lessor agree otherwise, the listing real estate broker shall not be obligated to continue to market the property after an offer or counter-offer has been accepted. After the acceptance of an offer or counter-offer, the listing real estate broker shall advise any other offerors that an offer or counter-offer on the listed property has been accepted.

(2) A licensee acting as the agent of the buyer or lessee shall present all offers or counter-offers to the prospective buyer or lessee as quickly as possible. Unless a licensee acting as the agent of the prospective buyer or lessee and the buyer or lessee agree otherwise, the licensee shall not be obligated to continue to show properties to the prospective buyer or lessee after an offer or counter-offer has been accepted.

(f) (1) All dealings concerning property exclusively listed with an agent shall be conducted with the listing agent, and not the seller, owner or lessor. A licensee may contact the seller, owner or lessor of property exclusively listed with an agent if the listing agent consents to the contact or the licensee, after diligent effort, is unable to communicate with the listing agent or a licensee designated by the listing agent to service the listing in the listing agent's absence.

(2) All dealings concerning a prospective buyer or lessee who is exclusively represented by an agent shall be conducted with the prospective buyer's or lessee's agent, and not with the prospective buyer or lessee. A licensee may contact a prospective buyer or lessee who is exclusively represented by an agent if the agent representing the prospective buyer or lessee consents to the contact or the licensee, after diligent effort, is unable to communicate with the prospective buyer's or lessee's agent or a licensee designated by the buyer's or lessee's agent to service the buyer in the buyer's or lessee's agent's absence.

(g) No signs shall be placed on any property which relate to a real estate transaction without the written consent of the owner or the lessor, or his or her duly authorized agent or fiduciary.

(h) In the sale or lease of property which is exclusively listed with a real estate broker pursuant to an exclusive right to sell or lease listing or an exclusive agency to sell or lease listing, the broker shall cooperate with other real estate brokers upon mutually agreed upon terms when it is in the best interests of the party or parties for whom the broker is acting.

(Effective May 18, 1990; amended September 28, 1995)

Sec. 20-328-3a. Duty to cooperate with department and real estate commission

A licensee shall cooperate with department staff if the licensee is contacted in connection with an investigation performed by the Department of Consumer Protection concerning possible violations of real estate statutes or regulations. A licensee shall not make any untruthful or misleading statements in connection with any Department of Consumer Protection or Real Estate Commission investigation or hearing.

(Effective May 18, 1990; amended September 28, 1995)

Sec. 20-328-4a. Discrimination and fair housing

(a) A licensee shall neither deny equal professional services to any person nor be party to any plan or agreement to discriminate against a person or persons on the basis of race, creed, color, national origin, ancestry, sex, marital status, age, sexual orientation, lawful source of income, learning disability, mental retardation, mental disability, or physical disability, including, but not limited to, blindness or deafness. A licensee shall not violate any federal or state fair housing statute or regulation.

(b) No licensee shall participate in activities which constitute blockbusting or steering.

(c) A licensee shall place in all listing and buyer agency agreements a statement in the following form: This agreement is subject to the Connecticut General Statutes prohibiting discrimination in commercial and residential real estate transactions (C.G.S. Title 46a, Chapter 814c).

(Effective May 18, 1990; amended November 25, 1991, September 28, 1995)

Sec. 20-328-5a. Misrepresentation, disclosure and advertising.

(a) A licensee shall not misrepresent or conceal any material facts in any transaction.

(b) No licensee shall misrepresent the actual selling price of real estate to any lender or any other interested party, either verbally or through the preparation of a false sales contract.

(c) A real estate broker shall exercise diligence at all times in obtaining and presenting accurate information in the broker's advertising and representations to the public. No broker shall advertise to sell, buy, exchange, rent or lease the property of another in a manner indicating the offer to sell, buy, exchange, rent or lease such property is being made by a private party not engaged in the real estate business. The real estate broker shall neither advertise without disclosing the broker's name nor permit any person associated with the broker to use individual names, telephone numbers or mailing addresses, to the exclusion of the name of such broker.

(d) No real estate licensee shall modify or change the listing information of a real estate broker without the express permission of the real estate broker. No real estate licensee shall advertise real estate listed with a real estate broker with whom the real estate licensee is not affiliated without the permission of the listing real estate broker. No real estate licensee shall advertise real estate listed with a real estate broker with whom the real estate licensee is not affiliated without updating such advertising at least once every seventy-two (72) hours. No real estate licensee shall advertise real estate listed with a real estate broker with whom the real estate licensee is not affiliated without identifying that the real estate is not listed with the real estate licensee.

(e) A real estate licensee advertising or marketing on an internet site, owned or controlled by the real estate licensee, shall include on the home page of the site on which the real estate licensee's advertisement or information appears the following data:

(1) licensee's name and office address as it appears on said licensee's real estate license;

(2) name of the real estate broker with whom the licensee is affiliated, as that real estate broker's name is registered with the commission;

(3) all states in which the licensee holds a salesperson or broker license;

(4) last date on which property information shown on the site was revised.

(f) A real estate licensee using internet electronic communication for advertising or marketing, including but not limited to e-mail, e-mail discussion groups, and bulletin boards, shall include on the first or last page of all communications the following data:

(1) the licensee's name and office address;

(2) the name of the real estate broker with whom the licensee is affiliated as that real estate broker's name is registered with the commission;

(3) all states in which the licensee holds a salesperson or broker license.

(Effective May 18, 1990; amended September 28, 1995, February 4, 2004)

Sec. 20-328-6a. Agreements

(a) (1) Before a licensee attempts to negotiate a sale, exchange, or lease of real estate, other than a commercial real estate transaction, on behalf of the owner or lessor of real estate, the licensee shall enter into a listing agreement with the party or parties for whom the licensee will act. All listing agreements shall be in writing, properly identifying the property and containing all of the terms and conditions of the sale, exchange or lease, including the commission to be paid, the date on which the listing agreement is entered into and its expiration date. The listing agreement shall be signed by the owner, seller or lessor or an agent authorized to act on behalf of the owner, seller or lessor only by a written document executed in the manner provided for conveyances in Connecticut General Statutes, Section 47-5, and by the broker or the broker's authorized agent. The type of listing shall be clearly indicated in the listing agreement. The licensee shall deliver immediately a copy of any listing agreement to any party or parties executing the same, where such listing agreement has been prepared by such licensee or under the licensee's supervision and where such listing agreement relates to a real estate transaction with which the licensee is associated as a broker or a salesman. For listing agreements entered into on or after October 1, 2004, if the real estate broker permits real estate licensees not affiliated with the real estate broker to advertise the real estate, the real estate broker shall disclose such permission and all exceptions to the advertising on the listing agreement and obtain the owner's or lessor's authorization for such advertising.

(2) Before a licensee attempts to negotiate a purchase, exchange or lease of real estate, other than a commercial real estate transaction, on behalf of a prospective buyer or lessee of real estate, the licensee shall enter into an agency agreement with the party or parties for whom the licensee will act. All agency agreements shall be in writing, containing all of the terms and conditions of the agency agreement, including the compensation to be paid, the date on which the agency agreement is entered into and its expiration date. The agency agreement shall be signed by the prospective buyer or lessee or an agent authorized to act on behalf of the prospective buyer or lessee only by a written document executed in the manner provided for

conveyances in Connecticut General Statutes, section 47-5, and by the broker or the broker's authorized agent. The licensee shall deliver immediately a copy of any agency agreement to any party or parties executing the same, where such agency agreement has been prepared by such licensee or under the licensee's supervision and where such buyer agency agreement relates to a real estate transaction with which the licensee is associated as a broker or salesman.

(b) For all instruments other than listing agreements, buyer agency agreements or lessee agency agreements, the licensee, for the protection of all parties, shall use his or her best efforts to assure that all contractual commitments regarding real estate transactions with which the licensee is associated are in writing, dated, and express the agreement of the parties. The licensee shall deliver immediately a copy of any such instrument to any party or parties executing the same, where such instrument has been prepared by such licensee or under the licensee's supervision and where such instrument relates to a real estate transaction with which the licensee is associated as a broker or a salesman.

(c) No licensee shall accept or enter into a net listing. In cases where the owner or the lessor wishes to list in this manner, the agreed upon fee shall be added and listings made in the usual manner.

(d) A licensee attempting to negotiate or negotiating a sale, exchange, or lease of a commercial real estate transaction shall obtain a listing, buyer or tenant representation agreement, memorandum, letter, or other writing stating for whom the licensee will act or has acted, signed by the party for whom the licensee will act or has acted in the commercial real estate transaction, the duration of the authorization and the amount of any compensation payable to the licensee.

(Effective May 18, 1990; amended September 28, 1995, June 5, 2002, February 4, 2004)

Sec. 20-328-7a. Deposits

(a) When a licensee receives a deposit or other moneys with respect to any transaction in which the licensee is engaged on behalf of the real estate broker with whom the licensee is affiliated, the licensee shall promptly pay over the deposit or other moneys to such real estate broker.

(b) Any real estate broker who, in the course of the real estate broker's real estate business and in connection with any transaction, accepts from any principal, client or other person any moneys, to which the real estate broker is not personally and legally entitled, including but not limited to any down payment, earnest money, deposit, rental money or other money to be held by the real estate broker in trust, shall deposit such moneys in an escrow or trust account in a bank doing business in the State of Connecticut unless otherwise required by law.

(Effective May 18, 1990; amended September 28, 1995)

Sec. 20-328-8a. Commissions and compensation

(a) No licensee shall demand compensation unless reasonable cause for payment of compensation exists.

(b) When an owner, lessor, prospective buyer or lessee wrongfully fails or is unable to consummate a transaction, the real estate broker has no right to any portion of the money, if any, deposited with the real estate broker, even though compensation may have been earned.

(c) While engaging in the real estate business, a licensee shall not accept any commission, rebate, or profit on expenditures made for the licensee's principal, without the knowledge and consent of the licensee's principal.

(d) A licensee shall not accept compensation from more than one party in a real estate transaction without notifying all parties to the transaction prior to the closing.

(e) No licensee shall offer, promise, allow, give, pay or rebate, directly or indirectly, any part or share of the licensee's commission or compensation arising or accruing from any real estate transaction to any person who is engaging in the real estate business and who was not licensed as a real estate broker or real estate salesman at the time the real estate broker or real estate salesman performed the acts or rendered the services for which the licensee offers, promises, allows, gives, pays or rebates such commission or compensation.

(f) If a licensee receives or is awarded any compensation with respect to any transaction in which the licensee is engaged on behalf of the real estate broker with whom the licensee is affiliated, the licensee shall promptly pay over or assign such compensation to such real estate broker.

(g) In a cooperative real estate transaction, a real estate broker shall compensate the cooperating real estate broker and shall not compensate nor offer to compensate, directly or indirectly, any of the real estate salesmen or brokers employed by or affiliated with the cooperating real estate broker without the prior express knowledge and consent of the cooperating broker.

(Effective May 18, 1990; amended September 28, 1995)

Sec. 20-328-9a. Interference with agency or contract relationship

(a) A licensee shall not engage in any practice or take any action which interferes with the agency relationship of another licensee.

(b) No licensee shall induce or attempt to induce any party to a contract of sale or lease of real property to breach or terminate such contract for the purpose of substituting in lieu thereof a new contract with another principal of the licensee.

(c) No licensee shall induce or attempt to induce an owner or a lessor of property to breach or terminate an exclusive right to sell or lease listing or an exclusive agency to sell or lease listing for the purpose of substituting in lieu thereof a new listing contract. No licensee shall induce or attempt to induce a prospective buyer or lessee to breach or terminate an exclusive representation agency agreement for the purpose of substituting a new exclusive representation agency agreement in lieu thereof.

(Effective May 18, 1990; amended September 28, 1995)

Sec. 20-328-10a. Brokers and salesmen

(a) Upon termination of a licensee's employment or affiliation with a real estate broker, a licensee shall immediately turn over to such broker any and all information and records obtained during the licensee's employment or affiliation, whether such information or records were originally given by the licensee's broker or copied from the records of such employing broker or acquired by the licensee during the licensee's employment or affiliation with the real estate broker.

(b) Upon the termination of the employment or affiliation of a licensee with a real estate broker, the real estate broker shall give the licensee, within ten days of the date on which the licensee turns over to the real estate broker any and all information and records in accordance with this section, or within forty-five days of said termination, whichever is earlier, a written accounting setting forth all active listing agreements, agency agreements, transactions, commissions and compensation in which the licensee was involved. The accounting required by this subsection shall also include a statement of the commission or compensation, if any, which the real estate broker intends to pay the salesman on account of the active listings,

agency agreements, transactions, commissions and compensation in which the licensee was involved.

(Effective May 18, 1990; amended September 28, 1995)

Secs. 20-328-11—20-328-26.

Repealed, May 18, 1990.

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Secs. 20-328-27—20-328-33.

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Disposition, Advertising, Sale or Exchange in this State of Real Estate Located in Another State or Jurisdiction

Sec. 20-329m-1. Definitions

(a) ''Disposition'' or ''dispose of'' means any sale, exchange, lease, assignment, award by lottery or other transaction designed to convey an interest in a subdivision or parcel, lot, or unit thereof when undertaken for gain or profit;

(b) ''offer'' means every inducement, solicitation or attempt to bring about a disposition;

(c) ''person'' means an individual, firm, company, association, corporation, government or governmental subdivision or agency, business trust, estate trust; partnership, unincorporated association or organization two or more of any of the foregoing having a joint or common interest, or any other legal or commercial entity;

(d) ''broker'' means a resident real estate broker duly licensed in this state;

(e) ''salesman'' means any person duly licensed in this state as a real estate salesman;

(f) ''purchaser'' means a person who acquires an interest in any lot, parcel or unit in a subdivision;

(g) ''subdivision'' means any improved or unimproved land or tract of land located outside this state which is divided or proposed to be divided into five or more lots, parcels, units, or interests, for the purpose of disposition, at any time as part of a common promotional plan and where any land which is under common ownership or which is controlled by a single developer or a group of developers acting in concert, and such land is contiguous in areas and is designated or advertised as a common unit or by a common name shall be presumed, without regard to the number of lots, parcels, units or interests covered by each individual offering, to be part of a common promotional plan;

(h) ''the commission'' means the Connecticut real estate commission.

(i) ''advertising'' means publishing or causing to be published: (a) by means of any newspaper or periodical; (b) by means of any radio or television broadcast; (c) by means of any written or printed or photographic matter produced by any duplicating process producing ten copies or more, any information offering for sale or for the purpose of causing or inducing any other person to purchase or to acquire an interest in the title to subdivided lands, including the land sales contract to be used any photographs or drawings or artist's representations of physical conditions or facilities on the property existing or to exist; (d) by means of any material used in connection with the disposition or offer of subdivided lands by radio, television, telephone or any other electronic means, provided, however, that ''advertising'' shall not be deemed to include: stockholder communications such as annual reports and interim financial reports, proxy materials, registration statements, securities prospectuses, application for listing securities on stock exchanges and the like; prospectuses, property reports, offering statements or other documents required to be delivered to prospective purchasers by an agency of any other state or the federal government; all communications addressed to and relating to the account of any persons who have previously executed a contract the purchase of the subdivider's lands except where directed to the sale of additional lands; press releases or other communications delivered to newspapers or other periodicals for general information or public relations purposes, provided no charge is made by such newspapers or other periodicals for the publication or use of any part of such communications.

(Effective November 29, 1978)

Sec. 20-329m-2. Transaction restricted to broker. Exception

No person except a broker or his duly licensed salesmen. shall offer for disposition or dispose of in this state any subdivision or lot, parcel, unit or interest in any subdivision unless exempted by the provisions of section 20-32Db of the general statutes.

(Effective November 29, 1978)

Sec. 20-329m-3. License requirement

No person shall in this state offer any subdivision or lot, parcel, unit or interest in any subdivision for disposition or shall dispose of any such subdivision or lot, parcel, unit or interest in any subdivision until he has received a license to do so from the commission, provided this section, shall not apply to any person or subdivision exempted under the provisions of section 20-329b of the general statutes.

(Effective November 29, 1978)

Sec. 20-329m-4. Application for license

Any broker who wishes to offer for disposition or to dispose of any subdivision or lot, parcel, unit or interest in any subdivision, and who is required to obtain a license to do so from the commission, shall submit to the commission:

(1) A questionnaire and license application form duly completed by the applicant under oath. Such questionnaire and license application form shall include but shall not be limited to a statement by the applicant

(a) that he has reviewed and verified the truth, authenticity and accuracy of all papers, maps, plats, plans, drawings, photographs, permissions, licenses, documents, deeds, instruments and promotional material, including but not limited to the sales prospectus or property report which is to be used in every offer of disposition in this state of any subdivision or lot, parcel, unit or interest in any subdivision, and

(b) that all said materials and documentation reasonably portray the facts relating to the subdivision and any lot, parcel, unit or interest therein and its situation and location, and

(G) that said materials and documentation are in no way misleading and subject to misinterpretation by the public;

(2) proof of compliance with the requirements of section 20-329c of the general statutes relating to the appointment of the secretary of the state as the broker's attorney for service of process;

(3) details of any bond which may be required by the commission;

(4) a certified, carbon, photographic, Xerox or similarly reproduced copy of any title policy covering the subdivision;

(5) a copy of any trust deed or mortgage affecting the subdivision, together with a copy of the conditional or partial releases to be used in the disposition of any lot, parcel, unit or interest in the subdivision;

(6) a detailed statement of the method of handling all deposit monies received by the broker from any person, purchaser or prospective purchaser including but not limited to the name and address of the bank in which the escrow account is established, as well as the account number. In addition, such money shall remain in such escrow account, in accordance with section 20-329n, until final legal disposition is made by the person legally entitled to such money;

(7) copies of all papers and documents to be used in any disposition in this state, including but not limited to any deed, trust deed or instrument, warranty deed, quitclaim deed, contract, agreement, lease, option, deposit receipt and maps, plan, drawings, or photographs or both;

(8) copies of all conditions, restrictions, covenants, reservations and encumbrances affecting the subdivision, including but not limited to mineral or other such rights;

(9) copies of all maps, plats or plans, approved by the local governmental authority, with evidence of such approval, depicting the subdivision or property or interest to be offered for disposition, together with maps depicting the topography and soil composition and definite plans for construction; all such maps, plats or plans to be certified as to their accuracy by a duly qualified and licensed engineer;

(10) (a) copies of all documentation or reports issued by the local governmental authority with respect to

(i) the availability and potability of water,

(ii) the sanitary disposal of human waste,

(b) a complete report of all flood hazards and drainage affecting the subdivision, as issued by the local flood engineer or other competent and qualified authority,

(c) a complete report covering the construction of access highways, roads and sidewalks affecting the subdivision, and

(d) a complete report relating to the services which will be available to each purchaser of any lot, parcel, unit or interest in the subdivision;

(11) (a) copies of proofs of all advertising and promotional material to be used in this state, including but not limited to a detailed description and legal description of the subdivision, together with a map showing the division proposed or made, the dimensions of the lots, parcels, units, or interests and the relation of the subdivision to existing streets, roads, and other offsite improvements,

(b) copies of the sales prospectus or property report to be used,

(c) the plan under which the disposition of the subdivision or any lots, parcels, units or interests therein is to be made, and (d) such other information as the commission may require in rendering a decision as to the issuance of a license to the applicant;

(12) a copy of the price list of all the lots, parcels, units or interests in the subdivision and the terms and conditions of any offering under which any person or purchaser is to be induced to accept any such offer;

(13) the names and addresses of the persons in whom title to the subdivision is vested, together with the names and addresses of all other persons having a financial interest in the proposed offer or promotional sale or both;

(14) an adequate financial statement covering the persons in whom title to the subdivision is vested, together with at least two bank references in respect of each such person;

(15) a statement made under oath by those persons listed in subsection (13) of this section setting forth in detail

(a) any prior arrests, proceedings or convictions in any jurisdiction against such persons within ten years prior to the date of the application, concerning the following charges or offenses: forgery, embezzlement, obtaining money under false pretenses, extortion, criminal conspiracy to defraud, or other like offense or offenses

(b) whether any of them has ever had his real estate license revoked or suspended, and

(c) if there have been no such arrests, proceedings, convictions, license revocations or suspensions, said statement shall clearly state that there have been ‘‘none’’;

(16) a copy, certified by a duly authorized and qualified person, of any report, review, inspection, approval or release which may have been required by the state or jurisdiction in which the subdivision is located;

(17) the statutory filing fee of one hundred dollars plus the license fee to be computed on the basis of the rates set forth in section 20-329f, subsection (b). The commission shall supply free of charge all necessary questionnaire and license application forms and shall make no official review of any license application until it has received from the applicant all necessary documentation duly completed.

(Effective November 29, 1978)

Sec. 20-329m-5. Subdivision registered under Federal Interstate Land Sales Full Disclosure Act

Any broker, unless exempted under the provisions of subsections (a) or (b) of section 20-329b of the general statutes, wishing to offer for disposition or to dispose of in this state any subdivision or lot, parcel, unit or interest in any subdivision which is registered under the Federal Interstate Island Sales Full Disclosure Act shall submit to the commission, prior to making any such offer of disposition;

(a) A certified copy of the effective statement of record filed with the Secretary of Housing and Urban Development;

(b) a certificate in letter form from said secretary confirming the filing with him of the particular subdivision and of the effective statement of record;

(c) the statutory filing fee of one hundred dollars plus the license fee to be computed on the basis of the rates set forth in section 20-329f, subsection (b). The commission shall supply free of charge all necessary registration application forms. Any amendments to the statement of record which are filed with said secretary of Housing and Urban Development shall be reported in writing and under oath to the commission within fourteen days after the same are filed with said secretary. The fee for filing a consolidation or an additional number of units not included in the initial filing shall be one hundred dollars.

(d) any subdivision which has been registered under the federal interstate land sales full disclosure act shall be exempt from all the provisions of section 20-329d of the general statutes by complying with all provisions of subsection (c) of section 20-329(b) of the general statutes.

(Effective November 29, 1978)

Sec. 20-329m-6. Land registered in another jurisdiction

(a) Any broker wishing to offer for disposition or to dispose of in this state any subdivision or lot, parcel, unit or interest in any subdivision which is registered or approved pursuant to the laws of any other state or jurisdiction shall submit to the commission

(1) an exemption application form duly completed under oath

(2) a copy of all the materials and documentation supplied to or registered with such other state or jurisdiction, including but not limited to the sales prospectus to be used in the offer or disposition,

(3) A certificate in letter form from such other state or jurisdiction

(i) establishing the authenticity and accuracy of said materials and documents and that same have been filed or registered with such other state or jurisdiction, and

(ii) certifying that the applicant is of good standing in such state or jurisdiction and that he has not had his real estate license revoked or suspended and listing any arrest or conviction within ten years prior thereto connected with the following offenses: forgery, embezzlement, obtaining money under false pretenses, extortion, criminal conspiracy to defraud, or other like offense or offenses.

(b) The commission, after receipt of and based upon the materials, documents and certificates required by this section to be submitted to it, shall make a determination

concerning those provisions, if any, of the general statutes relating to the offering or disposition in this state of subdivisions, from which the applicant shall be exempt.
(Effective March 10, 1970)

Sec. 20-329m-7. Sale contract provisions

(a) Every contract for the sale of any subdivision, or lot, parcel or unit in any subdivision, unless specifically exempted by section 20-329b of the general statutes shall include the following provisions:

(1) A clear statement of the exact time and date when the contract was signed by the purchaser;

(2) a clear statement of the exact time and date when the purchaser received a copy of the sales prospectus;

(3) a clear statement notifying the purchaser that if he did not receive a copy of the sales prospectus more than seventy-two hours in advance of the time he signed the contract, then he has the power to revoke the contract by communicating such revocation to the seller within seventy-two hours of the last occurring of the following events;

(i) the time the purchaser signed the contract or agreement, or

(ii) the time the purchaser received the sales prospectus;

(4) list the broker's residence and office address and provide that the transmittal of the written revocation to either address shall be sufficient to effect the revocation.

(b) The contract or agreement may provide that the foregoing power of revocation shall not apply in the ease of a purchaser who:

(1) Has received the sales prospectus and inspected the subdivision in advance of signing the contract-or agreement, and

(2) acknowledges by his signature that he has made the inspection and has read and understood the sales prospectus.

(c) The broker shall, at the time the contract or agreement is signed, deliver to the purchaser a form which may be followed by the purchaser in effecting such revocation which form shall comply with the requirements of section 20-329m-8. If the purchaser elects to revoke the contract or agreement within the time limits as prescribed in section 20-329h of the general statutes, the broker shall return all moneys paid by the purchaser without any deduction.

(d) the broker or salesman shall retain the signed receipt for any sales prospectus, property report or offering statement from any purchaser for a period of seven years. The broker or salesman, upon termination with the developer, shall turn these receipts over to the developer within thirty days and the developer shall retain them for the duration of the seven year period.
(Effective November 29, 1978)

Sec. 20-329m-8. Revocation form

(a) The written form of revocation permitted under subsection (c) of section 20-329h of the general statutes of any contract or agreement relating to any subdivision or lot, parcel, unit or interest in any subdivision

(1) show the names and addresses of the parties to the contract or agreement being revoked,

(2) identify the subdivision or lot, parcel, unit or interest in the subdivision which is the subject of the contract or agreement,

(3) state the date and exact time the sales prospectus was received by the purchaser.

(b) The revocation shall be deemed to have been communicated, if, within the time limit specified in subsection (c) of said section 20-329h, the written revocation

is delivered to the broker's residence at any time or his office address during regular business hours. Such written revocation may be in the form of a letter sent by registered or certified mail.

(Effective November 29, 1978)

Sec. 20-329m-9. Reports to commission

Every broker who has been granted a license to offer for disposition or to dispose of in this state any subdivision or lot, parcel, unit or interest in any subdivision shall immediately report in writing and under oath to the commission all factual changes in any way materially affecting the value, marketability, or use of the subdivision or any lot, parcel, unit or interest therein or the offering or disposition thereof, provided, if no such changes have occurred, this fact shall be reported in writing and under oath by the broker to the commission at least every six months.

(Effective March 10, 1970)

Sec. 20-329m-10. Hearing on license refusal

Any broker who is refused a license by the commission to offer for disposition or to dispose of in this state any subdivision or lot, parcel, unit of interest in any subdivision may request a hearing before the commission and the commission shall grant such request and shall hold the requested hearing.

(Effective March 10, 1970)

Sec. 20-329m-11. Deposits to be held in escrow

(a) any broker accepting moneys paid or advanced by the purchaser or lessee or prospective purchaser or prospective lessee in respect to the sale or lease of any subdivision shall comply with the following provisions:

(1) deposit any such moneys as described in section 20-329m-11 (a) in an escrow account, approved by the commission, in a bank doing business in the state of Connecticut,

(2) maintain such moneys as described in section 20-329m-11(a) in the broker's escrow account until

(i) a proper and valid release is obtained therefor, or

(ii) either party has defaulted under the contract or agreement and the commission or the court has made a determination as to the disposition of such money, or

(iii) the seller or lessor orders the return of such money to such purchaser or lessee.

(b) the broker shall not release any moneys until the time limits for revoking the contract or agreement have expired as prescribed under section 20-329h, subsection (c) of the general statutes.

(Effective November 29, 1978)

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Repealed, September 22, 1988.

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Occupational Licensing

Sec. 20-332-1. Definitions

As used in Sections 20-332-1 to 20-332-20a, inclusive,

(a) ''Journeyperson'' means any person who has fulfilled all the state's requirements for training and experience as such in the trade and who is deemed competent to perform all the services included in the trade for which a license has been issued.

(b) ''Limited contractor'' means any person who has fulfilled all the state's requirements as a limited contractor as to a specific area or areas within a specific trade.

(c) ''Limited journeyperson'' means any person who has fulfilled all the state's requirements as a limited journeyperson as to a specific area or areas within a specific trade.

(d) ''Electrician'' means any licensed journeyperson employed by an electrical contractor or who is in fact a licensed contractor and is entitled to perform electrical work.

(e) ''Elevator craftsman'' means any licensed journeyperson performing elevator installation, repair and maintenance work in the employ of a contractor or who is in fact a licensed contractor and is entitled to perform elevator installation, repair and maintenance work.

(f) ''Heating, piping and cooling craftsman'' means any licensed journeyperson who is employed by a heating, piping and cooling contractor or who is in fact a licensed contractor and is entitled to perform heating, piping and cooling work.

(g) ''Plumber'' means any licensed journeyperson employed by a plumbing and piping contractor or who is in fact a licensed contractor and is entitled to perform plumbing and piping work.

(h) ''Electrical maintenance'' means the keeping in a state of repair or efficiency all types and classes of electrical equipment only as follows: The replacement of fuses or resetting of circuit breakers or similar over current protectors, devices and disconnect means on or from last branch circuits, provided replacement shall be made with equipment of equal capacity, type or size; the keeping in repair or function of an electrical system from a last branch circuit; the keeping in repair or function of circuit wiring relays, controls or other associated electrical equipment and the replacement of defective wiring, relays, controls or other associated equipment with equipment of equal capacities, types and sizes; the disconnecting of circuits in emergencies and installation of approved safety devices in last branch circuits, provided applicable code requirements are met.

(i) ''Heating, piping and cooling maintenance'' means the keeping in a state of repair or efficiency all types or classes of heating, piping and cooling equipment, and includes the replacement of existing equipment with equivalent materials, or materials substantially equal to existing materials, if identical equipment is not available, but excluding any alteration or additional work adversely affecting safety or change of original design. Change of original function or design is permitted as maintenance only where the existing equipment or system is in a dangerous condition and not in compliance with the present code provisions, provided that the maintenance performed will render the system or equipment safe and in compliance with applicable code provisions.

(j) ''Plumbing and piping maintenance'' means the keeping in a state of repair or efficiency all types or classes of plumbing and piping equipment. The replacement of existing equipment with equivalent materials, or materials substantially equal to

existing materials if identical equipment is not available, but excluding any alteration or additional work adversely affecting safety, or change in original design. Change of original function or design is permitted as maintenance only where the existing equipment or system is in a dangerous condition and not in compliance with the present code provisions, provided that the maintenance performed will render the system or equipment safe and in compliance with applicable code provisions. Excluded from the definition of plumbing and piping maintenance is the removal and/or replacement of a vital element of gas, water, or soil pipes, cisterns, tanks, bathtubs, shower stalls, interior drains connected to soil pipes, water closets and fittings appurtenant thereto, or any sanitary or fire protecting apparatus, except the closing of valves to cut off a supply if a dangerous condition exists and the cutting off would render the condition safe and the removal or rendering safe of equipment in a Dangerous condition.

(k) ''Board'' means the appropriate examining board for the occupation involved.

(*l*) ''Health code'' pertains to Sections 19-13-B20a to 19-13-B20r, inclusive, of the regulations established by the Connecticut State Department of Health.

(m) ''Craftsman'' refers to an Elevator journeyperson.

(n) ''Apprentice'' means any person in the employ of a licensed contractor and performing duties under the supervision of licensed persons from whom he shall learn the skills of the trade as defined in Section 20-330(6) of the Connecticut General Statutes.

(o) ''Contractor'' in accordance with Chapter 393, Section 20-330 of the Connecticut General Statutes means any person regularly offering to the general public services of his employees and/or himself in the trade in which he is licensed.

(p) ''Department'' means the Department of Consumer Protection.

(q) ''Person'' means any natural person or individual carrying on activities regulated by these rules.

(r) ''Plumbing and piping'' does not mean or include, and nothing in these regulations shall be held or construed to have any application to, the trade of drilling water wells or the business of selling or delivering plumbing fixtures, appliances, and materials. Nor shall it mean or include swimming pools and related equipment which do not connect directly to any water supply intended for human consumption and/or connect directly or indirectly to any piping which terminates in any area which is subject to receiving sewage and wastes or any other substances which may be dangerous to health.

(s) ''Rules and regulations'' means the regulations established by the State Boards of Occupational Licensing pursuant to Section 21a-9 of the Connecticut General Statutes.

(t) ''Statute'' means the law which was enacted by the General Assembly.

(u) ''Water Spray'' refers to the use of water in a special hazard system in a form having a predetermined pattern, particle size, velocity, and density discharged from specially designed nozzles or devices. Water Spray does not cover protection from portable nozzles, sprinkler systems, monitor nozzles, or other means of application.

(v) ''Lawn Sprinkler System'' A lawn sprinkler system is a network of tubing or pipes with lawn sprinkler heads or lawn nozzles attached for spraying water over any and all areas which are ornamentally planted, including but not limited to turf, ground covers, flowers, shrubs, trees and similar plant materials. Control devices used in lawn sprinkler systems may consist of mechanically, hydraulically and/or electronically controlled valves and irrigation controllers. The installation, repair,

replacement, alteration or maintenance of lawn sprinkler systems does not include (1) connections to a potable water supply; (2) the installation, repair and replacement of back-flow prevention devices; and (3) irrigation systems used for agricultural purposes.

The installation, repair, replacement, alteration or maintenance of lawn sprinkler systems does include (1) the connection made to a preexisting backflow prevention device; and (2) the installation, replacement or maintenance of low-voltage wiring used within the lawn sprinkler system not exceeding 24 volts, providing that such wiring shall be energized only from a plug-in type controller, or a hard wired 110 volt controller that is installed and serviced by a properly licensed electrician.

(w) ''Commercial Vehicle'' for the purpose of Section 20-334 of the Connecticut General Statutes, means any vehicle used by a contractor in his business that is leased or is registered in the name of the business or contractor with a motor vehicle licensing agency under a ''commercial'' or ''combination'' registration.

(x) ''Incidental work'' means the keeping in a state of repair or efficiency all types or classes of electrical, elevator, fire protection sprinkler system, heating, cooling and piping or plumbing and piping fixtures or equipment by the replacement of existing equipment or fixtures with equivalent materials, or materials substantially equal to existing materials if identical equipment is not available, but excluding any alteration or additional work adversely affecting safety, or change in original design.

(y) ''Sheet metal work'' means the installation, erection, replacement, repair or alteration of duct work-systems, both ferrous and nonferrous, and includes, but is not limited to, warm and cool air, ventilation, exhaust, and hood exhaust.

(Effective October 1, 1993; amended February 11, 2003)

Sec. 20-332-2. Licenses issued by the electrical work examining board

The following licenses shall be issued to qualified applicants by the electrical work examining board:

(a) Unlimited electrical contractor's license (E-1).

The holder of this license shall be permitted to do all electrical work as defined in section 20-330 of the Connecticut General Statutes. The requirements to qualify for this license examination shall be two (2) years as an unlimited licensed journeyperson or at least six (6) years of equivalent experience and training.

(b) Unlimited electrical journeyperson's license (E-2).

The holder of this license shall be permitted to do all electrical work as defined in section 20-330 of the Connecticut General Statutes, and only while in the employ of a properly licensed contractor. The requirements to qualify for this license examination shall be the completion of a registered apprenticeship program or at least four (4) years of equivalent experience and training.

(c) Limited electrical line contractor's license (L-1).

The holder of this license may perform only work limited to line construction, including distribution systems, and their allied work, for public and private companies; installation, maintenance and repair of all high-voltage cable splicing and pulling wire for all systems in excess of 2,400 volts; traffic signal and highway lighting installation, maintenance and repair. The requirements to qualify for this license examination shall be two (2) years as a properly licensed journeyperson or at least six (6) years of equivalent experience and training.

(d) Limited electrical line journeyperson's license (L-2). The holder of this license may perform only work limited to line construction, including distribution systems, and their allied work, for public and private companies; installation, maintenance and repair of all high-voltage cable splicing and pulling wire for all systems in

excess of 2,400 volts; traffic signal and highway lighting installation, maintenance and repair, and only while in the employ of a contractor licensed for such work. The requirements to qualify for this license examination shall be the completion of a registered apprenticeship program or at least four (4) years of equivalent experience and training.

(e) Limited electrical contractor's license (L-5).

The holder of this license may perform only work limited to low voltage, alarm or signal work, audio and sound systems. The installation or repair of any telecommunication work is not authorized with the exception of the interface wiring from an alarm system to an existing telephone connection for monitoring purposes. The voltage of the system is not to exceed 25 volts or five amperes where such work commences at an outlet receptacle or connection previously installed by a person holding the proper electrical license. The requirements to qualify for this license examination shall be two (2) years as a properly licensed journeyperson or at least six (6) years of equivalent experience and training.

(f) Limited electrical journeyperson's license (L-6).

The holder of this license may perform only work limited to low voltage, alarm or signal work, audio and sound systems, and only while in the employ of a contractor licensed for such work. The installation or repair of any telecommunication work is not authorized with the exception of the interface wiring from an alarm system to an existing telephone connection for monitoring purposes. The voltage of the system is not to exceed 25 volts or five amperes where such work commences at an outlet receptacle or connection previously installed by a person holding the proper electrical license. The requirements to qualify for this license examination shall be the completion of a registered apprenticeship program or at least four (4) years of equivalent experience and training.

(g) Limited electrical contractor's license (C-5).

The holder of this license may perform only work limited to low voltage systems, and telephone-interconnect. The voltage of any system is not to exceed forty-eight (48) volts or eight (8) amperes where such work commences at an outlet receptacle or connection previously installed by a person holding the proper electrical license. The requirements to qualify for this license examination shall be two (2) years as a properly licensed journeyperson or at least six (6) years of equivalent experience and training.

(h) Limited electrical journeyperson's license (C-6).

The holder of this license may perform only work as defined for C-5 category and only while in the employ of a licensed electrical contractor. The requirements to qualify for this license examination shall be the completion of a registered apprenticeship program or at least four (4) years of equivalent experience and training.

(i) Limited electrical sign contractor's license (C-7).

The holder of this license may perform only work limited to installing, servicing, maintaining and testing electric signs where such work commences at a dedicated outlet receptacle or connection directly adjacent to such sign. The requirements to qualify for this license examination shall be two (2) years as a properly licensed journeyperson or equivalent experience and training.

(j) Limited electrical sign journeyperson's license (C-8).

The holder of this license may perform only work limited to installing, servicing, maintaining and testing electric signs where such work commences at a dedicated outlet receptacle or connection directly adjacent to such sign and only while in the

employ of a contractor licensed for such work. The requirements to qualify for this license examination shall be the completion of a registered apprenticeship program or equivalent experience and training.

(k) Limited electrical contractor's license (T-1).

The holder of this license may perform only work limited to telephone-interconnect systems where such work commences at an outlet receptacle or connection previously installed by a person holding the proper electrical license. The requirements to qualify for this license examination shall be licensed journeyperson or at least six (6) years of equivalent experience and training.

(*l*) Limited electrical journeyperson's license (T-2).

The holder of this license may perform only work as defined for the T-1 category and only while in the employ of a licensed electrical contractor. The requirements to qualify for this license examination shall be the completion of a registered apprenticeship program or at least four (4) years of equivalent experience and training or five (5) years as a registered public service technician.

(m) Limited solar electric contractor license (PV-1).

The holder of this license may perform only work limited to solar electricity systems; which means the installation, erection, repair, replacement, alteration or maintenance of photovoltaic or wind generation systems, including storage and distribution of such energy for heat, light, power or other purposes to a point immediately inside a structure or adjacent to an end use. The requirements to qualify for this license examination shall be two (2) years as a properly licensed journeyperson or equivalent experience and training.

(n) Limited solar electric journeyperson's license (PV-2).

The holder of this license may perform only work as defined for the PV-1 category and only while in the employ of a contractor licensed for such work. The requirements to qualify for this license exam shall be the completion of a registered apprenticeship program or at least one (1) year of equivalent experience and training.

(Effective October 1, 1993; amended July 29, 2003, June 28, 2004, September 7, 2007)

Sec. 20-332-3. Licenses issued by the elevator installation, repair and maintenance work examining board

The following licenses shall be issued by the elevator installation, repair and maintenance work examining board:

(a) Unlimited contractor elevator license (R-1).

The holder of this license may perform all elevator installation, repair and maintenance work as defined in Section 20-330 of the Connecticut General Statutes. A person must have served at least two years as an R-2 journeyperson or have equivalent experience to qualify for the R-1 examination.

(b) Unlimited journeyperson elevator license (R-2).

The holder of this license may perform all elevator installation, repair and maintenance work as defined in Section 20-330 of the Connecticut General Statutes and only while in the employ of a duly licensed elevator contractor. A person must have completed a two year, four thousand (4,000) hour, elevator apprenticeship program or have equivalent experience to qualify for the R-2 examination.

(c) Limited contractor elevator license (R-5).

This license shall be known as an accessibility contractor's license. The holder of this license may perform, except as hereinafter stated, installation, repair and maintenance work on all equipment as defined in section 20-332-3a of these regulations. A person must have served at least two years as an R-2 or R-6 journeyperson or have equivalent experience to qualify for the R-5 examination. Accessibility

contractors who have practiced their craft in the state of Connecticut for at least two (2) years or more prior to the adoption of these regulations shall be considered to have equivalent experience. The holder of this license may not perform any work on equipment as defined in section 20-332-3a of these regulations if the platform of said equipment is to penetrate more than one floor of the building in which the equipment is to be installed.

(d) Limited journeyperson elevator license (R-6).

This license shall be known as an accessibility journeyperson's license. The holder of this license may perform, except as hereinafter stated, installation, repair and maintenance work on all equipment as defined in section 20-332-3a of these regulations and only while in the employ of a duly licensed elevator contractor. A person must have completed an elevator accessibility apprenticeship program or have equivalent experience to qualify for the R-6 examination. Pursuant to Section 31-51d of the Connecticut General Statutes the labor commissioner will formulate work training standards for apprentices in the craft of installing accessibility equipment. Journeypersons who have practiced their craft in the state of Connecticut for at least one (1) year or more prior to the adoption of these regulations shall be considered to have equivalent experience. The holder of this license may not perform any work on equipment as defined in section 20-332-3a of these regulations if the platform of said equipment is to penetrate more than one floor of the building in which the equipment is to be installed.

(e) Limited conveyor contractor's license (R-7).

The holder of this license may perform only work limited to installation, maintenance, alteration or repair of equipment, apparatus or machines used to convey materials. Such conveyors shall be permanently or temporarily placed and of a fixed nature. The holder of this license may not perform work on any freight elevator. The requirements to qualify for this license examination shall be two (2) years as a properly licensed journeyperson or equivalent experience and training.

(f) Limited conveyor journeyperson's license (R-8).

The holder of this license may perform only work limited to installation, maintenance, alteration or repair of equipment, apparatus or machines used to convey materials and only while in the employ of a contractor licensed for such work. Such conveyors shall be permanently or temporarily placed and of a fixed nature. The holder of this license may not perform work on any freight elevator. The requirements to qualify for this license examination shall be the completion of a registered apprenticeship program or equivalent experience and training.

(g) Limited hoist, cranes and lifts contractor's license (R-9).

The holder of this license may perform only work limited to installation, maintenance, alteration or repair of equipment, apparatus or machines used to hoist or lift materials. Such hoists, lifts or cranes, including, but not limited to, monorails, under hung cranes, overhead hoists, top running single girder cranes with under hung hoists and double girder cranes with top running hoists shall be permanently or temporarily placed and of a fixed nature. The holder of this license may not perform work on any freight elevator. The requirements to qualify for this license examination shall be two (2) years as a properly licensed journeyperson or equivalent experience and training. This license does not apply to a crane as defined in section 29-221 of the Connecticut General Statutes and regulated by the examining board for crane operators.

(h) Limited hoist, cranes and lifts journeyperson's license (R-10).

The holder of this license may perform only work limited to installation, maintenance, alteration or repair of equipment, apparatus or machines used to hoist or lift

materials and only while in the employ of a contractor licensed for such work. Such hoists, lifts or cranes, including, but not limited to, monorails, under hung cranes, overhead hoists, top running single girder cranes with under hung hoists and double girder cranes with top running hoists shall be permanently or temporarily placed and of a fixed nature. The holder of this license may not perform work on any freight elevator. This license does not apply to a crane as defined in section 29-221 of the Connecticut General Statutes and regulated by the examining board for crane operators. The requirements to qualify for this license examination shall be the completion of a registered apprenticeship or helper program or equivalent experience and training.

(Effective November 20, 1992; amended July 29, 2003, April 12, 2007)

Sec. 20-332-3a. Licensing of accessibility contractors and journeymen

Accessibility equipment refers to the inclined stairway chairlifts, vertical wheelchair lifts, inclined lifts and any other lift that is referred to in Section 29-200 of the Connecticut General Statutes that is designed to transport persons with physical disabilities, whether or not wheelchair users. Accessibility equipment includes, but is not limited to, both vertical and inclined lifts designed in compliance with the current ASME A18.1, using hydraulic, mechanical or cable-hauled mechanisms installed in any commercial, industrial, public and/or residential facility. The exemption provided in Section 20-340(5) of the Connecticut General Statutes is not applicable to such equipment.

(Effective November 20, 1992; amended July 29, 2003, April 12, 2007)

Sec. 20-332-4. Licenses issued by the plumbing and piping work examining board

The following licenses shall be issued by the plumbing and piping work examining board:

(a) Unlimited plumbing-piping contractor's license (P-1).

The holder of this license may do all plumbing and piping work as defined in section 20-330 of the Connecticut General Statutes. The requirements to qualify for this license examination shall be two (2) years as an unlimited licensed journeyperson or equivalent experience and training.

(b) Unlimited plumbing-piping journeyperson's license (P-2). The holder of this license may do all plumbing and piping work as so defined and only while in the employ of a contractor licensed for such work. The requirements to qualify for this license examination shall be the completion of a registered apprenticeship program or equivalent experience and training.

(c) Limited plumbing-piping contractor's license (P-9).

The requirements for examination for this license shall be two (2) years as a properly licensed journeyperson or equivalent experience and training. This license permits the installation, repair, replacement, alteration or maintenance of piping for petroleum tanks and related pumping equipment only.

(d) Limited plumbing-piping journeyperson's license (P-8).

The requirements for examination for this license shall be one (1) year as a registered apprentice or equivalent experience and training. This license permits the installation, repair, replacement, alteration or maintenance of piping for petroleum tanks and related pumping equipment only and only while in the employ of a contractor licensed for such work.

(e) Limited plumbing-piping contractor's license (J-1).

The holder of this license may perform only work limited to domestic water pumps and water conditioning. The requirements to qualify for this license examination shall be two (2) years as a journeyperson or equivalent experience and training.

(f) Limited plumbing - piping journeyperson's license (J-2). The holder of this license may perform only work limited to domestic water pumps and water conditioning and only while in the employ of a contractor licensed for such work. The requirements to qualify for this license examination shall be the completion of a registered apprenticeship program or equivalent experience and training.

(g) Contractor - limited to water, sewer and storm lines (P-7).

The requirements for examination for this license shall be two (2) years as a journeyperson or equivalent experience and training. This license permits the installation, repair, replacement, alteration or maintenance of piping limited to water, sewer and storm lines from the point of utility responsibility to a point immediately inside a structure.

(h) Journeyperson - limited to water, sewer and storm lines (P-6).

The requirements for examination for this license shall be the completion of a registered one-year apprenticeship program or equivalent experience and training. This license permits the installation, repair, replacement, alteration or maintenance of piping limited to water, sewer and storm lines from the point of utility responsibility to a point immediately inside a structure and only while in the employ of a contractor licensed for such work.

(i) Contractor-limited to lawn sprinkler work (J-3).

The requirements for this license shall be two (2) years as a journeyperson or equivalent experience and training. This license permits the installation, repair, replacement, alteration or maintenance of lawn sprinklers systems.

(j) Journeyperson-limited to lawn sprinkler work (J-4). The requirements for this license shall be the completion of a registered one-year apprenticeship program or equivalent experience and training. This license permits the installation, repair, replacement, alteration or maintenance of lawn sprinkler systems only while the licensee is in the employ of a plumbing contractor licensed for such work.

(k) - (*l*) **Repealed.** May 24, 1990.

(m) Limited tank, piping, and pump contractor license (P-9).

The requirements for examination for this license shall be two (2) years as a properly licensed journeyperson or equivalent experience and training. This license permits the installation, repair, replacement, alteration or maintenance of piping for petroleum-based fuels and alternative fuels, including tanks and related equipment.

(n) Limited tank, piping, and pump journeyperson license (P-8).

The requirements for examination for this license shall be one (1) year as a registered apprentice equivalent experience and training. This license permits the installation, repair, replacement, alteration or maintenance of piping for petroleum-based fuels and alternative fuels, including tanks and related equipment, and only while in the employ of a contractor licensed for such work.

(Effective October 22, 1990; amended November 3, 2000, July 29, 2003, September 7, 2007)

Sec. 20-332-5. Licenses issued by the state board of heating, piping, cooling, and sheet metal work examiners

The following licenses shall be issued by the state board of heating, piping, cooling, and sheet metal work examiners:

(e) Limited heating cooling contractor's license (S-9).

The holder of this license may perform only work limited to hot water or steam heating systems and cooling work for buildings not over three stories high, with

total heating load not exceeding 500,000 BTU'S, steam pressure not exceeding fifteen pounds, and/or cooling installations up to 35 tons per system. This license also covers the installation or servicing of oil burners handling up to five gallons per hour as well as LP gas supplied by gas containers and/or natural gas piping for work covered by this limited license. The requirements to qualify for this license examination shall be two (2) years as a properly licensed journeyperson or equivalent experience and training.

(f) Limited heating cooling journeyperson's license (S-10).

The holder of this license may perform work only while in the employ of a licensed contractor and only limited to hot water or steam heating systems and cooling work for buildings not over three stories high, with total heating load not exceeding 500,000 BTU'S, steam pressure not exceeding fifteen pounds, and/or cooling installations up to 35 tons per system. This license also covers the installation or servicing of oil burners handling up to five gallons per hour as well as LP gas supplied by gas containers and/or natural gas piping for work covered by this limited license. The requirements to qualify for this license examination shall be the completion of a registered apprenticeship program or equivalent experience and training.

(g) Limited heating contractor's license (S-7).

The holder of this license may perform only work limited to hot water or steam heating systems for buildings not over three stories high with a total heating load not exceeding 500,000 BTU's and steam pressure not exceeding fifteen pounds. This license also covers the servicing and installation of oil burners handling up to five gallons per hour, as well as gas burners and gas piping for the work covered by this license. The requirements to qualify for this license examination shall be two (2) years as a journeyperson or equivalent experience and training.

(h) Limited heating journeyperson license (S-8).

The holder of this license may perform only work limited to hot water or steam heating systems for buildings not over three stories high with a total heating load not exceeding 500,000 BTU's and steam pressure not exceeding fifteen pounds and only while in the employ of a contractor licensed for such work. Also covered by this license is the servicing and installation of oil burners handling up to five gallons per hour, as well as gas burners and gas piping for work covered by this license. The requirements to qualify for this license exam shall be the completion of a registered apprenticeship program or equivalent experience and training.

(i) Limited heating contractor's license (B-1).

The holder of this license may perform only work of installing, servicing and repairing of gas or oil burners for domestic and light commercial installations. A domestic or light commercial burner shall be considered as one consuming five gallons or less per hour.

(j) Limited heating journeyperson license (B-2).

The holder of this license may perform only work of installing, servicing and repairing of gas or oil for domestic and light commercial installations and only while in the employ of a contractor licensed for such work.

(k) Limited heating contractor's license (B-3).

The holder of this license may perform the installing, servicing and repairing of any gas or oil fired burners. The requirements to qualify for this license examination shall be two (2) years as a journeyperson or equivalent experience and training.

(*l*) Limited heating journeyperson license (B-4).

The holder of this license may perform the installing, servicing and repairing of any gas or oil fired burner and only while in the employ of a contractor licensed for such work. The requirements to qualify for this license examination shall be the completion of a registered apprenticeship program or equivalent experience and training.

(m) Limited air conditioning, refrigeration and warm air contractor's license (D-1).

The holder of this license may perform only work limited to the installation, repair, replacement, maintenance or alteration of any warm air, air conditioning and refrigeration system, including necessary piping for the conveyance of heating or cooling media and associated pumping equipment. This license does not include the installation or servicing of oil burners of any size. The requirements to qualify for this license examination shall be two (2) years as a journeyperson or equivalent experience and training.

(n) Limited air conditioning, refrigeration and warm air journeyperson license (D-2).

The holder of this license may perform only work limited to the installation, repair, replacement, maintenance or alteration of any warm air, airconditioning and refrigeration system, including necessary piping for the conveyance of heating or cooling media and associated pumping equipment and only while in the employ of a contractor licensed for such work. This license does not cover the installation or servicing of oil burners of any size. The requirements to qualify for this license examination shall be the completion of a registered apprenticeship program or equivalent experience and training.

(o) Limited cooling contractor's license (D-3).

The holder of this license may perform only work limited to the installation, repair, replacement, maintenance or alteration of all refrigeration systems included in food storage, air conditioning or special process systems. The requirements to qualify for this license examination shall be two (2) years as a journeyperson or equivalent experience and training.

(p) Limited cooling journeyperson license (D-4). The holder of this license may perform only work limited to the installation, repair, replacement, maintenance or alteration of all refrigeration systems included in food storage, air conditioning and special process systems and only while in the employ of a contractor licensed for such work. The requirements to qualify for this license examination shall be the completion of a registered apprenticeship program or equivalent experience and training.

(q) Limited heating, piping and cooling contractor's license (G-1).

The holder of this license may perform only that work for the installation, repair, replacement, alteration, and maintenance of gas piping systems and approved gas appliances, gas utilization equipment and accessories for use with LP gas supplied by gas containers and/or natural gas. The requirements to qualify for this license examination shall be two (2) years as a journeyperson or equivalent experience and training.

(r) Limited heating, piping and cooling journeyperson license (G-2).

The holder of this license may perform said work only while in the employ of a contractor licensed for such work. The holder of this license may perform only that work for the installation, repair, replacement, alteration, and maintenance of gas piping systems and approved gas appliances, gas utilization equipment and accessories for use with LP gas supplied by gas containers and/or natural gas. The

requirements to qualify for this license examination shall be the completion of a registered apprenticeship program or equivalent experience and training.

(s) Limited welding contractor's license (G-9).

The holder of this license may perform only work limited to the welding process of all pipe and associated fittings and materials used by persons licensed pursuant to chapter 393 of the Connecticut General Statutes as long as such piping, associated fittings and materials are used by persons licensed to perform work as defined by section 20-330 of the Connecticut General Statutes. The requirements to qualify for this license examination shall be two (2) years as a journeyperson or equivalent experience and training and the presentation of a certification in pipe welding that is current within six months of the date of application for this license.

(t) Limited welding journeyperson license (G-8).

The holder of this license may perform only work limited to the welding process of all pipe and associated fittings and materials used by persons licensed pursuant to chapter 393 of the Connecticut General Statutes, as long as such piping, associated fittings and materials are used by persons licensed to perform work as defined by section 20-330 of the Connecticut General Statutes and only while in the employ of a properly licensed contractor. The requirements to qualify for this license examination shall be the completion of a registered apprenticeship program or equivalent experience and training and the presentation of a certification in pipe welding that is current within six months of the date of application for this license.

(u) Limited sheet metal contractor (SM-1).

The holder of this license may perform only work limited to the installation, erection, replacement, repair or alteration of any duct work system, both ferrous and nonferrous for ductwork systems of any size and type, excluding pneumatic conveyance systems which are covered under sections 20-332-5(a)(b)(c) and (d) of these regulations. The requirements to qualify for this license examination shall be two (2) years as a properly licensed journeyperson or equivalent experience and training.

(v) Limited sheet metal journeyperson (SM-2).

The holder of this license may perform only work limited to the installation, erection, replacement, repair or alteration of any duct work system, both ferrous and nonferrous for ductwork systems of any size and type, excluding pneumatic conveyance systems which are covered under sections 20-332-5(a)(b)(c) and (d) of these regulations. The holder of this license may perform such work only while in the employ of a contractor licensed for such work. The requirements to qualify for this license examination shall be the completion of a registered apprenticeship program or equivalent experience and training.

(w) Limited sheet metal residential/light commercial contractor (SM-3).

The holder of this license may perform only work limited to the installation, erection, replacement, repair or alteration of ductwork system, both ferrous and nonferrous for ductwork systems used within a light commercial or residential building. Light commercial and residential is a building with single air handling units not to exceed 35 tons of cooling, or fans or blowers not exceeding 14,000 cubic feet per minute (volume), excluding pneumatic conveyance systems which are covered under sections 20-332-5(a)(b)(c) and (d) of the regulations of Connecticut State agencies. The requirements to qualify for this license examination shall be two (2) years as a properly licensed journeyperson or equivalent experience and training.

(x) Limited sheet metal residential/light commercial journeyperson (SM-4).

The holder of this license may perform only work limited to the installation, erection, replacement, repair or alteration of ductwork system, both ferrous and nonferrous for ductwork systems used within a light commercial or residential building. Light commercial and residential is a building with single air handling units not to exceed 35 tons of cooling, or fans or blowers not exceeding 14,000 cubic feet per minute (volume), excluding pneumatic conveyance systems which are covered under sections 20-332-5(a)(b)(c) and (d) of the Regulations of Connecticut State Agencies. The holder of this license may perform such work only while in the employ of a contractor licensed for such work. The requirements to qualify for this license examination shall be the completion of a registered apprenticeship program or equivalent experience and training.

(y) Limited sheet metal contractor hood systems (SM-5).

The holder of this license may perform only work limited to the installation, erection, replacement, repair or alteration of ductwork system, both ferrous and nonferrous for hood ductwork systems of any size and type limited to and as it pertains to the proscribed code standards, excluding pneumatic conveyance systems which are covered under sections 20-332-5(a)(b)(c) and (d) of the regulations of Connecticut State Agencies. The requirements to qualify for this license examination shall be two (2) years as a properly licensed journeyperson or equivalent experience and training.

(z) Limited sheet metal journeyperson hood systems (SM-6).

The holder of this license may perform only work limited to the installation, erection, replacement, repair or alteration of ductwork system, both ferrous and nonferrous for hood ductwork systems of any size and type, limited to and as it pertains to the proscribed code standards, excluding pneumatic conveyance systems which are covered under sections 20-332-5(a)(b)(c) and (d) of the regulations of Connecticut State Agencies. The holder of this license may perform such work only while in the employ of a contractor licensed for such work. The requirements to qualify for this license examination shall be the completion of a registered apprenticeship program or equivalent experience and training.

(aa) Sheet metal work.

Any person holding a license as defined within section 20-330(5) of the Connecticut General Statutes may perform ''sheet metal work'' as it pertains to the type of license that such person holds.

(bb) Limited heating cooling contractor's license (VT-1).

The holder of this license may perform only work limited to the inspection, maintenance, assembly or disassembly, repair (including machining or grinding) or replacement of all classes and types of valves. The requirements to qualify for this license examination shall be two (2) years as a properly licensed journeyperson or equivalent experience and training.

(cc) Limited heating cooling journeyperson's license (VT-2).

The holder of this license may perform work only while in the employ of a properly licensed contractor and only work limited to the inspection, maintenance, assembly or disassembly, repair (including machining or grinding) or replacement of all classes and types of valves. The requirements to qualify for this license examination shall be the completion of a registered apprenticeship program or equivalent experience and training.

(dd) Limited heating cooling contractor's license (MT-1).

The holder of this license may perform only work limited to machining operations such as pipe prepping form tool and single point, pipe cut off and prepping, machine

milling, (associated feed tables) flange facing, counter boring, CNC pipe prepping/machining, metal disintegrating machining, electrical discharge machining, machine boring and grinding, tapping and threading. The machining activities shall apply to all permanent plant equipment. This license only applies to work being performed at nuclear, fossil or petrochemical facilities. The requirements to qualify for this license exam shall be two (2) years as a properly licensed journeyman or equivalent experience and training.

(ee) Limited heating cooling journeyperson's license (MT-2).

The holder of this license may perform work only while in the employ of a properly licensed contractor and may only perform work limited to machining operations such as pipe prepping form tool and single point, pipe cut off and prepping, machine milling, (associated feed tables) flange facing, counter boring, CNC pipe prepping/machining, metal disintegrating machining, electrical discharge machining, machine boring and grinding, tapping and threading. The machining activities shall apply to all permanent plant equipment. This license only applies to work being performed at nuclear, fossil or petrochemical facilities. The requirements to qualify for this license exam shall be the completion of a bona fide apprenticeship program or equivalent experience and training.

(ff) Limited heating cooling contractor's license (HPG-1).

The holder of this license may only perform work limited to gas hearth product work, as defined in Connecticut General Statutes section 20-330. The requirements to qualify for this license examination shall be two (2) years as a properly licensed journeyperson and the presentation of a certificate of completion from an approved hearth product certificate course from the National Fireplace Institute or equivalent.

(gg) Limited heating cooling journeyperson's license (HPG-2).

The holder of this license may perform work only while in the employ of a properly licensed contractor and may only perform work limited to gas hearth product work, as defined in Connecticut General Statutes section 20-330. The requirements to qualify for this license examination shall be the completion of at least five hundred (500) hours of on the job training, together with not less than twenty four hours of related instruction, or equivalent experience and training.

(hh) Solar thermal contractor (ST-1).

The holder of this license may perform only work on solar hot water heating systems. ''Solar thermal work'' means the installation, repair, replacement, alteration or maintenance of an active, passive or hybrid solar hot water heating system. The requirements to qualify for this license examination shall be two (2) years as a properly licensed journeyperson or equivalent experience and training.

(ii) Solar thermal limited journeyperson (ST-2).

The holder of this license may perform the following work, but only while in the employ of a contractor licensed for such work. The holder of this license may perform only work on solar hot water systems. ''Solar thermal work'' means the installation, repair, replacement, alteration or maintenance of an active, passive or hybrid solar hot water heating system. The requirements to qualify for this license examination shall be the completion of a registered apprenticeship program or equivalent experience and training.

(jj) Limited process piping contractor license (PP-1).

The holder of this license may perform only work limited to and used directly in the production of a product for human consumption . ''Process piping'' means piping or tubing that conveys liquid or gas that is used directly in the production of a product for human consumption. The requirements to qualify for this license

exam shall be two (2) years as a properly licensed journeyman or equivalent experience and training as determined by the Department.

(kk) Limited process piping journeyperson license (PP-2).

The holder of this license may perform work only while in the employ of a properly licensed contractor and only work limited and used directly in the production of a product for human consumption. ''Process piping'' means piping or tubing that conveys liquid or gas that is used directly in the production of a product for human consumption. The requirements to qualify for this license exam shall be the completion of a bona fide apprenticeship program or equivalent experience and training as determined by the Department.

(Effective September 22, 1988; amended February 11, 2003, July 29, 2003, September 7, 2007)

Secs. 20-332-6—20-332-7.

Repealed, September 22, 1988.

Sec. 20-332-6a. Licenses issued by the state board of fire protection sprinkler systems work

(a) Unlimited fire protection sprinkler contractor's license (F-1).

The holder of this license may do all fire protection sprinkler system work as defined in section 20-330 of the Connecticut General Statutes. A person must have served at least two years as an F-2 journeyperson or have equivalent experience to qualify for the F-1 examination.

(b) Unlimited fire protection sprinkler journeyperson's license (F-2).

The holder of this license may do all fire protection sprinkler system work as defined in section 20-330 of the Connecticut General Statutes, but only while in the employ of a contractor licensed for such work. A person must have completed a 4-year fire protection sprinkler apprentice program or have equivalent experience to qualify for the F-2 examination.

(c) Limited fire protection contractor's license (F-3).

The holder of this license may do such work as that work involved with foam extinguishing systems, special hazard systems including water spray, foam, carbon dioxide or dry chemical systems, halon and other liquid or gas fire suppression systems. A person must have served at least two years as an F-4 journeyperson or have equivalent experience to qualify for the F-3 examination.

(d) Limited fire protection journeyperson's license (F-4).

The holder of this license may do such work as that work involved with foam extinguishing systems, special hazard systems including water spray, foam, carbon dioxide or dry chemical systems, halon and other liquid or gas fire suppression systems but only while in the employ of a contractor licensed for such work. A person must have completed a 3-year fire protection non-sprinkler apprenticeship program or have equivalent experience to qualify for the F-4 examination.

(Effective May 24, 1990; amended July 29, 2003)

Sec. 20-332-7a. Licensed categories not defined. Persons licensed in other trades

(a) Any license category not defined in sections 20-332-2, 20-332-3, 20-332-4, 20-332-5 or 20-332-6a and previously issued by the board shall be renewable but no longer available to new applicants. A licensee who held a license that is no longer available to new applicants and who has let said license lapse, may, at the discretion of the appropriate board, be allowed to take an examination to reobtain said license.

(b) Any person who currently holds a Connecticut license in the electrical; elevator; fire protection sprinkler system; heating, cooling and piping; or plumbing and piping trades may perform work that is incidentally, directly and immediately appropriate to the performance of his or her trade where such work commences at an outlet receptacle or connection previously installed by a person holding the proper license. Any such work must be performed in compliance with all applicable code provisions.
(Effective September 22, 1988; amended July 29, 2003)

Sec. 20-332-8. Application for examination

(a) Applicants for examination shall obtain a formal application from the department, fill it in completely complying with its requests, and submit it to the board, together with a check or United States postal money order for the appropriate fee made payable to the Treasurer, State of Connecticut.

(b) Applicants for a journeyman's license shall furnish documentary evidence of (1) having been employed for the required number of years as an apprentice under the direct personal supervision of a licensed craftsman in the work for which an application has been filed, or (2) having had experience which could be deemed by the board to be equivalent thereto.

(c) Credit may be given in an amount not exceeding one-half of the total time spent in all day vocational or trade schools approved or licensed by the department of education, division of vocational education, but not exceeding two years, provided that work was of a type for which a license is requested and was performed under the supervision of an instructor licensed or certified for such instruction. Credit shall not be given for work experience in addition to credit granted for school experience while working at the trade and attending school at the same time.

(d) Each applicant shall furnish a certified copy of his birth certificate, affidavit, or such other evidence of having attained the age of eighteen as the board may require.

(e) Any application received shall be promptly reviewed for acceptance or rejection by the board. After approval of an application, the department shall notify the applicant in writing of the time, date and place of the next scheduled examination.

(f) After rejection of an application the department shall promptly notify the applicant in writing, stating the reason for such rejection and return all materials in relation to said application.
(Effective May 24, 1990)

Secs. 20-332-9—20-332-12.

Repealed, September 22, 1988.

Sec. 20-332-9a. Schools

(a) Credit shall be based on a 40 hour work week and will not exceed 2000 hours a calendar year.

(b) Credit may be given for time spent in ''all day'' or evening vocational or trade school approved or licensed by the Department of Education, Division of Vocational Educational but not exceeding 2 years, provided that work was of a type for which a license is requested and was performed under the supervision of an instructor licensed or certified for such instruction. Credit shall be given for evening school in the amount of total hours attended.
(Effective September 22, 1988)

Sec. 20-332-10a. Issuance of license

The Department shall issue a license to any person who has attained a minimum grade of 70% and paid the appropriate fee.
(Effective May 24, 1990)

Sec. 20-332-11a. Failure to qualify

(a) Any applicant who fails to attain a grade of 70% shall not be permitted to be re-examined until he has submitted the registration form which will accompany his notice of failure. Said form shall not require a photograph or a notarized signature and must be received and accepted at least 10 days prior to the next exam date.

(b) No detailed information of the exam shall be given to any person other than the applicant. An applicant may be given a review when he fails at least two examinations and the score on the last examination is between 65% and 69%, inclusive. In reviewing the examination the applicant shall not be entitled to see his or her actual examination.

(Effective November 20, 1992)

Sec. 20-332-12a. Examinations

(a) Examinations shall be held at least four times a year for each board. Each applicant will be notified by mail as to the time and place where the examination is to be held. No one may be admitted to any examination without presenting a notice of examination card which will be evidence that the board has reviewed and accepted the individual's application.

(b) All examinations will be in English. The examination shall be of such written, oral and practical units as the board may determine are necessary to determine the applicant's competency in the trade area for which he has applied for a license. Examinations may be changed at the board's discretion.

(c) Any applicant who refers to notes or books except by permission of proctor, misbehaves during the examination or fails to comply with the proctor's instructions covering the examination, will be dismissed from that examination.

(d) Any applicant who has failed to attain minimum requirements for the issuance of a license shall be notified by mail. Such an applicant may request a rescoring of his answer sheet. This process insures that no stray pencil marks, multiple responses or other conditions interfered with computer scoring. Requests for handscoring or rescoring must be made in writing and must be received within 10 days after the test score has been received.

(e) The applicant will be responsible for any and all fees charged by any testing service used by the board to cover the costs involved in retrieving the answer sheet, rescoring and responding to the applicant's request. If the testing service allows for a direct response, the applicant may respond directly to the testing service and not to the department.

(f) Any applicant failing to meet minimum requirements for the issuance of a license shall forfeit his examination fee and shall be rescheduled for the next examination only when the department is in receipt of another registration form and examination fee.

(Effective September 22, 1988)

Sec. 20-332-13. Renewal of license

(a) No copy or duplicate of any license shall be valid unless authorized by the department.

(b) Licenses will be renewed only when the department has received an official application properly signed and accompanied by the appropriate fee.

(c) Failure of a licensee to receive a notice of expiration and renewal application shall not exempt the licensee from the provisions of Son 20-334 of the General Statutes.

(Effective May 24, 1990)

Secs. 20-332-14—20-332-15.

Repealed, September 22, 1988.

Sec. 20-332-14a. Special trades

Any person engaging in a specific area of an occupation covered by chapter 393 of the General Statutes that is not covered by any license issued under these regulations may request the issuance of a license by submitting any and all evidence which will establish reasonable cause for the issuance of a license to the appropriate board. The issuance of said license is discretionary on the part of the board.

(Effective September 22, 1988)

Sec. 20-332-15a. Employment of apprentices

(a) Nothing in Chapter 393 of the General Statutes shall be construed to prohibit the employment of apprentices.

(b) An apprentice may perform the work for which he is being trained only in the presence and under the direct supervision of a licensed contractor or journeyman in his trade, and shall comply with all the regulations pertaining thereto.

(c) No apprentice shall at any time engage in any of the work for which a license is required without direct supervision. Direct supervision shall mean under the guidance of a licensed contractor or journeyman and within the sight and/or hearing of said licensed person.

(d) Any person who encourages or permits an apprentice or helper to so engage in the work or occupation for which a license is required without direct supervision shall also be subject to appropriate disciplinary action. The contractor who obtains the permit for the work for which a license is required shall be deemed to have encouraged or permitted the apprentice or helper to work without direct supervision for the purpose of disciplinary action by the appropriate board.

(e) **Ratios**

(1) Nothing in Chapter 393 of the General Statutes shall be construed to prohibit the employment of one apprentice by a licensed electrical contractor and an additional apprentice for a licensed electrical journeyman employed by a contractor. An electrical contractor employing more than one journeyman may employ an additional apprentice for each additional three journeymen employed by him.

(2) Nothing in Chapter 393 of the General Statutes shall be construed to prohibit the employment of one apprentice by a licensed plumbing and piping contractor and an additional apprentice for each additional three licensed journeymen employed by said contractor.

(3) Nothing in Chapter 393 of the General Statutes shall be construed to prohibit the employment of one apprentice by a licensed heating, cooling and piping contractor and an additional apprentice for each additional three licensed journeymen employed by said contractor.

(4) An elevator helper as defined in Section 20-334a-(a) (3) (B) of the General Statutes is anyone so registered with the State Elevator Installation, Repair and Maintenance Work Examining Board.

(5) An elevator helper may perform the work for which he is being trained only in the presence and under the supervision of a licensed elevator contractor or journeyman.

(6) Nothing in Chapter 393 of the General Statutes shall be construed to prohibit the employment of one elevator helper by a licensed elevator contractor and an additional elevator helper for each licensed elevator journeyman employed by an elevator contractor.

(7) Elevator helpers, under the supervision of a licensed elevator contractor or journeyman, may do minimal cleaning work not in the presence of such supervising elevator contractor or journeyman.

(8) Nothing in Chapter 393 of the General Statutes shall be construed to prohibit the employment of one apprentice by a licensed fire protection sprinkler contractor and an additional apprentice for each additional three licensed journeymen employed by said contractor.

(9) Nothing in Chapter 393 of the General Statutes shall be construed to prohibit the employment of one accessibility apprentice by a properly licensed elevator contractor and an additional accessibility apprentice for each properly licensed elevator contractor or journeyman employed by the elevator contractor.

(f) **How to register as an apprentice.**

(1) No apprentice shall perform the work of any occupation covered by Chapter 393 of the General Statutes unless he has first obtained a card of registration from the Connecticut Department of Labor.

(2) Prior to employing an apprentice, the contractor shall communicate immediately with the Connecticut Department of Labor to request registration of said apprentice.

(3) When registration is requested for an area of the trade which is not available through the Connecticut Department of Labor, said contractor shall make his request to the appropriate board prior to the employment of the apprentice.

(Effective November 20, 1992)

Sec. 20-332-16. Prohibited acts. Records. Lettering on commercial vehicles

(a) Any licensee who installs, performs or directs the performance of work in violation of any applicable state statute, state code, or state regulation, any municipal code or ordinance, any of these regulations, or who violates generally accepted basic trade practices shall be subject to disciplinary action by the appropriate board.

(b) Licensed contractors alone shall be permitted to acquire building permits to perform work covered by chapter 393 of the General Statutes and the regulations promulgated thereunder. In order to apply for a building permit to perform work covered by chapter 393 of the General Statutes and the regulations adopted thereunder a contractor shall be directly employed by the business on a regular and full time basis. In applying for the building permit to perform work covered by chapter 393 of the General Statutes and the regulations promulgated thereunder the contractor is attesting to the fact that he is responsible for and will directly supervise the work being performed under said permit. Except as provided for in Section 20-338b of the General Statutes, the licensed contractor must sign each building permit application personally and may not delegate the signing of the permit to any employee, subcontractor or other agent. Any licensed contractor who violates these regulations shall be subject to disciplinary action by the appropriate board.

(c) No licensee shall engage in or offer to engage in business under any name other than that stated on his application for a license unless he has notified the board ten days prior to using the new name.

(d) Any holder of a journeyman's license who performs work without being in the direct and regular employ of a properly licensed contractor shall be subject to disciplinary action by the appropriate board.

(e) All licensed contractors shall keep a record of all employees they employ and exhibit such records to the Commissioner or her agents upon request.

(f) No one shall perform any work beyond the limitations stated on his license regardless of the type of license his employer holds. Further, no one holding a limited

or unlimited journeyman's license can perform any work beyond the limitations of the license held by the contractor for whom he is employed.

(g) The lettering of the state license numbers required to be displayed on all commercial vehicles used in the contractor's business shall be at least one inch high and legible.

(h) Any holder of a contractor's license who installs, performs or directs the performance of work for which a building permit is required shall cause said performance of work to be performed by a person licensed or registered under the provisions of Section 20-334 of the General Statutes. The contractor who obtains the building permit shall be deemed to have caused or directed the performance of all work performed under the building permit.

(i) No person shall use solder containing mre than 0.2 per cent lead in making joints and fitting in any public or private plumbing, heating or cooling system, or fire protection system as defined in Sections 20-330 (3), 20-330- (5) and 20-330 (9) of the general statutes.

(Effective October 1, 1993)

Sec. 20-332-17. Failure to offer services after submitting letter of intent. Surrender of contractor's license. Reinstatement

(a) Any person who meets the qualifications established by law and who submits to the board a letter of intent to offer his services or the services of his employees to the general public, but who does not in fact offer his services or the services of his employees to the general public within sixty days from the date the letter is received by the board shall be subject to whatever action is deemed necessary by the board.

(b) Any holder of a contractor's license shall surrender the license when he ceases to offer his services to the general public. If a licensee fails to surrender his contractor's license within thirty days of ceasing to offer services to the general public, said license may be revoked by the board.

(c) Notice of action by the board under the provisions of this section may be given addressed to the last-known address of the licensee by regular mail.

(d) A journeyman's or limited journeyman's license may be issued forthwith, at the discretion of the board, to any person whose contractor's license has been revoked under subsection (a) or (b) above, or whose contractor's license is voluntarily surrendered under subsection (b) above, provided he shall have held the contractor's license pursuant to subsection (a) or (b) above, for a period of not less than thirty days.

(e) A person holding a valid and current journeyman's or limited journeyman's license issued under subsection (d) may apply for reinstatement of his contractor's license upon showing evidence of his intention to offer services to the general public. Such reinstatement shall be at the discretion of the board, but any person denied a contractor's license shall upon request be given a hearing before the board denying his application.

(Effective February 20, 1968)

Secs. 20-332-18—20-332-20.

Repealed, September 22, 1988.

Sec. 20-332-18a. Grounds for suspension or revocation of a license

A board may reprimand a licensee, place a licensee on probation or suspend or revoke a license after a hearing before the board when the findings show one or more of the following acts or practices.

(a) failure to notify the Department of Consumer Protection of any change of the licensee's name or address within thirty (30) days of such change;

(b) obtaining or conspiring to obtain with others a license by inducing the issuance thereof in consideration of the payment of money or delivery of any other thing of value or by and through a misrepresentation of facts to a board within the Department of Consumer Protection;

(c) violating any applicable ordinance or resolution of any city or town regulating the work being done by a licensee or apprentice in accordance with Chapter 393 of the General Statutes;

(d) violating any provision of Chapter 393 of the General Statutes or any regulations promulgated thereunder;

(e) violating any provision of Chapter 541 of the General Statutes or any regulation or code promulgated thereunder;

(f) performing incompetent work;

(g) engaging in unethical conduct;

(h) making false, misleading or deceptive representations regarding his work;

(i) performing negligent work;

(j) conviction of a felony; or

(k) performing work beyond the scope of his license.

Unless precluded by statute, actual knowledge, intent or wilfullness, need not be shown to prove that a violation occurred. However, the Board must consider actual knowledge, intent and wilfullness in determining the type of disciplinary action to take against a licensee.

(Effective September 22, 1988)

Sec. 20-332-19a. Reinstatement of license-rehearing of petition for reinstatement

(a) The Board may in its discretion reinstate a license not less than ninety days after such license has been revoked. Reinstatement by the Board may be ordered only after a hearing before the Board on the petition of the person whose license has been revoked.

(b) If the petition for reinstatement is granted by the Board the Department shall promptly issue a license to the petitioner upon payment of the required license fees.

(Effective September 22, 1988)

Sec. 20-332-20a. Fees

(a) License fees shall not be prorated regardless of the date of issuance of the license.

(b) The fee for replacement of a missing license is $5.00.

(c) A person applying for the replacement of a license card allegedly lost, stolen or destroyed shall submit to the Department a notarized statement containing all pertinent information pursuant to the loss of license and shall pay the appropriate fee. All reissued licenses will be clearly stamped ''duplicate.''

(Effective September 22, 1988)

Sec. 20-332-21.

Repealed, September 22, 1988.

Sec. 20-332-21a. Reciprocity

By authority of Connecticut General Statutes, Sections 4-8, 20-333a, 21a-6 and 21a-8, the Occupational Licensing Boards as listed by Section 20-331 of the Connecticut General Statutes may enter into agreements with other states to provide for

reciprocal licenses without examination subject to the terms and conditions stated below:

(a) (1) The applicant must meet the requirements of Connecticut General Statutes, Section 20-333;

(2) The applicant shall submit an application form and required fee;

(3) The applicant shall submit a certified statement from the licensing authority from the state in which the applicant is currently licensed, attesting to the date, method and type of examination by which said license was issued and the fact that the applicant's license is not currently under suspension, revocation, probation or other penalty;

(4) The applicant must be applying for an equivalent or lesser type license; and

(5) The applicant shall comply with all other applicable statutes and regulations.

(b) Any out-of-state licensed applicant who has been rejected for a reciprocal license may petition the appropriate occupational licensing board for a review on an individual basis of his application.

(Effective May 21, 1993)

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Continuing Education Requirements for the Electrical and Plumbing Trades

Continuing education for electricians and plumbers. 20-334d-1

Continuing Education Requirements for the Electrical and Plumbing Trades

Sec. 20-334d-1. Continuing education for electricians and plumbers

(a) **Definitions.**

As used in this section:

(1) ''Commissioner'' means the Commissioner of Consumer Protection;

(2) ''Instructor'' means:

(A) any person who holds a current, appropriate trade license issued by the Department of Consumer Protection, has at least five years of practical experience in the appropriate trade, and has been approved by the commissioner, with the advice of the appropriate Board; or

(B) a professional or a teacher in a specified area of law or the appropriate trade, approved by the commissioner, with the advice of the appropriate Board; and

(3) ''Provider'' means any public or private school, trade union or trade association that regularly provides courses that meet the criteria as set forth in subsection (b) of this section.

(b) **Course approval.**

(1) Each provider intending to offer continuing education courses shall submit a formal filing for each course to the commissioner for approval.

(2) The filing for each course shall include, but not be limited to, the following:

(A) a course outline;

(B) a listing of all reference materials to be utilized;

(C) the names, addresses, license numbers, and qualifications of each instructor; and

(D) contact information for each provider.

(3) All course filings shall be submitted on an annual basis. Course approvals shall only be valid for one year from date of approval.

(4) Each provider shall obtain approval from the commissioner for any changes to an approved course. The commissioner may request the provider to change the contents of an approved course if changes have been made to the statutes, regulations or other standards concerning the appropriate trade.

(5) The content of continuing education courses shall consist of applicable trade laws and practices that are broad-based and essential to the role of a licensee as the licensee acts in the best interest of the consumer. Courses shall directly relate to trade principles and practices of the applicable trade.

(6) The commissioner shall not approve any continuing education courses in the area of office and business skills such as typing, speed-reading, memory development, personal motivation, salesmanship, sales psychology, or for sales promotions or other meetings held in conjunction with the general business of a trade contractor.

(c) **Notification of course offering; course locations.**

(1) Each provider conducting an approved course shall, prior to the scheduled date of each course, submit to the commissioner a schedule of the dates, hours, and locations for each course to be offered. No courses shall commence or be advertised as approved, without prior written approval of the commissioner. There shall be no change or alteration in any approved course without prior written notice and approval of the commissioner. Course approval may be withdrawn for failure to comply with the provisions of this section.

(2) Each continuing course shall be conducted in a classroom-style facility and an environment which is adequate to implement the offering. No correspondence

courses shall be permitted. No provider shall use a classroom until an approval certificate has been issued by the local Fire Marshal indicating compliance for such use.

(d) **Minimum continuing education hours.**

(1) Electrical licensees, as a condition of license renewals commencing on and after October 1, 2004, shall take at least seven (7) credit hours of continuing education courses each year prior to renewal of their licenses. The following areas of study, with an emphasis on recent changes or updates, shall be acceptable:

(A) Licensing or business law and regulations applicable to the electrical trade;

(B) the current State of Connecticut Building Codes and Standards applicable to the electrical trade;

(C) construction safety; and

(D) any areas recommended by the commissioner or the Electrical Work Examining Board.

(2)(A) Plumbing licensees, as a condition of license renewals commencing on and after November 1, 2007, shall comply with the following continuing education requirements:

(i) Plumbing and Piping unlimited contractors, as a condition of license renewals in any even-numbered year, shall take seven (7) hours of continuing education courses during the two-year period prior to renewal of the license.

(ii) Plumbing and Piping limited contractors, as a condition of license renewals in any even-numbered year, shall take five (5) hours of continuing education courses during the two-year period prior to renewal of the license.

(iii) Plumbing and Piping unlimited journeypersons, as a condition of license renewals in any odd-numbered year, shall take five (5) hours of continuing education courses during the two-year period prior to renewal of the license.

(iv) Plumbing and Piping limited journeypersons, as a condition of license renewals in any odd-numbered year, shall take three (3) hours of continuing education courses during the two-year period prior to renewal of the license.

(B) The following areas of study, with an emphasis on recent changes or updates, shall be acceptable:

(i) Licensing or business law and regulations applicable to the plumbing and piping trade;

(ii) the current State of Connecticut Building Codes and Standards applicable to the plumbing and piping trade; and

(iii) any areas recommended by the commissioner or the State Plumbing and Piping Work Examining Board.

(3) All continuing education courses shall be applicable to the specific license types and categories, and shall meet with the final approval of the commissioner. The commissioner shall publish the required number of hours for each license type on the website of the Department of Consumer Protection.

(4) Courses completed prior to approval by the commissioner shall not qualify for continuing education hours.

(5) A licensee shall not be required to comply with the continuing education requirements of this section for the licensee's first license renewal.

(6) A licensee shall submit proof of compliance with continuing education requirements upon the request of the commissioner.

(e) **Advertising.**

All providers advertising continuing education courses shall comply with the following requirements:

(1) All advertising and notices shall not be deceptive or misleading and shall reveal significant facts, the concealment of which would mislead the public.

(2) Providers shall substantiate claims made in any advertisement upon request of the commissioner.

(3) All advertising and written or oral statements shall avoid the use of exaggerated or unproven claims or misrepresentations.

(4) No unfounded guarantee shall be offered. All notices shall clearly and conspicuously disclose the full nature of services offered.

(5) False or misleading claims as to tuition and other course costs are prohibited.

(6) Material containing testimonials shall be clearly limited to those individuals reflecting their own personal experiences.

(7) Providers shall not use the wording ''Approved by the Commissioner'' or other like wording. The following wording may be used: ''This course meets the minimum requirements as set forth by the Commissioner.'' The type size for the wording of this statement shall be no larger than the smallest type size used in the advertisement.

(f) **Records.**

(1) All providers conducting approved courses shall keep and retain complete records of student attendance and documentation of completion for a period of at least four (4) years after the completion of each course. Such records shall be available for inspection by the commissioner. Upon satisfactory completion of any approved course, the provider, as prescribed by the commissioner, shall furnish an approved certificate to the licensee student.

(2) The burden of proof of completion of each course shall be upon the licensee. A licensee who applies for renewal of a license shall retain all certificates of approved continuing education units for a period of at least four (4) years after the completion of each course. A licensee shall, upon request of the commissioner, and to satisfy the results of a random audit, make such certificates available to the commissioner, or a third party designated by the commissioner, for purposes of verification.

(3) The provider shall submit to the commissioner the names, addresses, and license numbers of all persons who successfully complete an approved continuing education course. Documentation of such courses shall be submitted in such manner and at such times and locations as prescribed by the commissioner.

(g) **Equivalent continuing education.**

The commissioner, with the advice of the appropriate Board, may consider and approve, on an individual basis, any other educational course taken by the licensee in lieu of approved courses. Any such course shall meet the standards established by section 20-334d-1(b)(5). Evidence of such courses must be submitted 120 days prior to license renewal.

(h) **Hardship.**

(1) Upon appropriate showing of a bona fide health or other individual hardship, the commissioner may consider an exception to the continuing education requirements. A loss of income resulting from cancellation of a license is not a bona fide hardship.

(2) Requests for exceptions shall be submitted in writing and shall include an explanation and verification of the hardship.

(i) **Hearings on denial of instructor or course approval.**

(1) Upon the refusal of the commissioner to approve an instructor or a continuing education course, or upon the decision of the commissioner to withdraw such approval, the commissioner shall notify the provider of the denial or withdrawal,

and of the right to request a hearing within fifteen (15) days from the date of mailing of the notice.

(2) In the event the applicant requests a hearing within such fifteen (15) days, the commissioner shall give notice of the grounds for refusal or withdrawal, and shall conduct a hearing in accordance with the provisions of chapter 54 of the Connecticut General Statutes concerning contested matters.

(j) **Forms.**

Applications for instructor and course approval shall be made on forms prescribed by the commissioner.

(Adopted effective March 5, 2004; amended December 5, 2007)

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Registration of Major Contractors

Sec. 20-341gg-1. Definitions as used in sections 20-341gg-1 to 20-341gg-7 of the regulations of connecticut state agencies

(a) ''Commissioner'' means the Commissioner of Consumer Protection.

(b) ''Structural frame'' means supporting members essential to the integrity of a structure, including, but not limited to, foundations, beams, columns, floor slabs, sheeting, shoring and underpinning.

(c) ''Person'' means an individual, partnership, corporation, limited liability company or joint venture.

(d) ''Story'' means that portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.

(e) ''Management staff'' means officers, directors or persons exercising control over, the overall or day to day operation of the business, particular construction projects or particular areas within the business such as estimating, accounting, accounts payable and payroll.

(Effective June 23, 1992; amended September 27, 1997)

Sec. 20-341gg-2. Registration required

In order to safeguard life, health and property, no person shall engage in or offer to practice as a major contractor in the state, unless such person has secured a registration as provided in Section 20-341gg-3 of the Regulations of Connecticut State Agencies.

(Effective December 28, 1989; amended September 27, 1997)

Sec. 20-341gg-3. Application

Any person seeking a registration as a major contractor shall apply to the commissioner on an application form provided by the commissioner.

(a) Such application form shall be verified under oath and shall include:

(1) Name;

(2) Trade Name;

(3) Business Address;

(4) The categories of work that the applicant's organization normally performs with its own forces;

(5) The names of the applicant's management staff responsible for both overall and day to day operation of the applicant's business;

(6) A statement whether the applicant's organization, or any organization with which the applicant's management staff has been affiliated or employed has ever failed to complete any work awarded to it during the period of such affiliation or employment;

(7) A statement whether there are any judgments, claims, arbitration proceedings or suits pending or outstanding against the applicant's organization or, any organization with which the applicant's management staff has been affiliated or employed, or any member of the applicant's management staff individually, during the period of such affiliation or employment;

(8) A statement whether the applicant's organization, or any organization with which the applicant's management staff has been affiliated or employed, during the period of such affliation or employment, or any member of the applicant's management staff individually, filed any law suits or requested arbitration with regard to construction contracts within the last five years;

(9) Construction projects in progress;

(10) Construction projects completed in the past five years; and

(11) Other information as the commissioner may require to determine qualifications of applicant.

(b) Accompanying the application shall be:

(1) Satisfactory credit references from trade and financial institutions;

(2) Three current references from persons familiar with the knowledge, skills and abilities of the applicant, relating to the performance of general contracting or major subcontracting services;

(3) Satisfactory evidence that the applicant has obtained and shall at all times maintain during the registration period general liability insurance for the safety and welfare of the public;

(4) A certificate of good standing less than 30 days old from the Secretary of the State, if a corporation;

(5) A certificate in good standing from the state in which it is incorporated, as well as a certificate of good standing less than 30 days old from the Secretary of the State, if a foreign corporation;

(6) A nonrefundable fee of Five Hundred Dollars ($500.00) in a check made payable to the Treasurer, State of Connecticut at the date of application for a license;

(7) A certified copy of a trade name certificate from the town in which the business is primarily conducted, in accordance with Section 35-1 of the General Statutes; and

(8) A statement that the applicant, or a responsible member of a firm, partnership, corporation or joint venture, is familiar with statutes and regulations promulgated by the department of consumer protection pertaining to major contractors, specifically Section 20-341gg of the General Statutes and Section 20-341gg-1 through 20-341gg-7 of the Regulations of Connecticut State Agencies.

(Effective June 23, 1992; amended September 27, 1997)

Sec. 20-341gg-4. Expiration and renewals

(a) The fee due at the time a lapsed registration is renewed shall be the renewal fee for each lapsed renewal period plus the renewal fee due during the year in which the application for reinstatement is made. The renewal fee for any fraction of a year shall be the full renewal fee. The registration shall be considered lapsed if not renewed within thirty days following the normal expiration date.

(b) Registrations not renewed within three years from the date of expiration can only be reinstated by filing a new application subject to the requirements for initial registration.

(c) Failure to receive a renewal application shall not exempt a major contractor from the obligation to renew.

(Effective January 3, 1995; amended September 27, 1997)

Sec. 20-341gg-5. Denial of registration

(a) Upon receipt of a completed application and fee, the commissioner shall:

(1) Issue and deliver to the applicant a registration to engage in the business for which the application was made; or (2) refuse to issue the registration.

(b) Upon refusal to issue or renew a registration the commissioner shall notify the applicant of the denial and of his right to request in writing a hearing within ten days from the date of receipt of the notice of denial.

(c) In the event the applicant requests in writing a hearing within such ten days, the commissioner shall give notice of the grounds for his refusal and shall conduct

a hearing concerning such refusal in accordance with the provisions of chapter 54 of the general statutes concerning contested matters.

(d) In the event the commissioner's denial of a registration is sustained after such hearing, an applicant may make new application not less than one year after the date on which such denial was sustained.

(Effective December 28, 1989; amended September 27, 1997)

Sec. 20-341gg-6. Powers and duties of the commissioner

(a) In addition to any other action permitted under the general statutes, the commissioner may upon a finding of any cause specified in Section 20-341gg-7 of the Regulations of Connecticut State Agencies: revoke or suspend a registration, issue a letter of reprimand to a registrant and send a copy of such letter to a complainant or to a state or local official; place a registrant on probationary status and require the registrant to report regularly to the commissioner on the matter which is the basis for probation, limit his practice to areas prescribed by the commissioner or, to continue or renew his education until he has attained a satisfactory level of competence in any area which is the basis for probation. The commissioner may discontinue, suspend or rescind any action taken under this subsection.

(b) The commissioner shall not take any action described in subsection (a) of this section except upon notice and hearing in accordance with chapter 54 of the general statutes.

(Effective June 23, 1992; amended September 27, 1997)

Sec. 20-341gg-7. Prohibited acts

The commissioner may act in accordance with the provisions of subsection (a) of Section 20-341gg-6 of the Regulations of Connecticut State Agencies, in the case of a registrant who: (1) knowingly engages in fraud or material deception in order to obtain a registration, or doing so in order to aid another in obtaining a registration; (2) engages in conduct of a character likely to mislead, deceive or defraud the public or commissioner; (3) has been convicted of a felony; (4) illegally uses or transfers a registration issued by the commissioner; (5) performs grossly incompetent or negligent work; (6) knowingly makes false, misleading or deceptive representations to the public regarding work to be performed; (7) fails to remedy or abate violations of all applicable Occupational Safety and Health Codes, Fire Codes and Building Codes; (8) employs an unregistered major contractor; or (9) violates any provision of the general statutes or any regulation established thereunder relating to his profession or occupation.

(Effective June 23, 1992; amended September 27, 1997)

Sec. 20-341gg-8.

Repealed, June 23, 1992.

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Licensing and Regulations of the T.V. Service Business

Sec. 20-344-1. Definition

As used in sections 20-344-2 to 20-344-20, inclusive, ''television receiving equipment maintenance and general servicing and repair'' means responsible service which may include consulting, maintenance, general service and repair of any make of television receiving systems and their associated components as used by the public, including but not limited to second-hand television sets, monitors and closed circuit systems.

(Effective July 9, 1968)

Sec. 20-344-2. Types of licenses

The following licenses shall be issued by the board to qualified applicants:

(a) A service dealer certified electronics technician owner unrestricted license shall be issued to a person having passed black and white, color, and practical and oral examinations conducted by the board and having an established place of business who offers his services to the public, i.e., any person who for another and for a fee or other valuable consideration or with the intention, or expectation, or upon the promise, of receiving a fee or other valuable consideration, engages in the business of maintaining, repairing and servicing television receiving equipment;

(b) A certified electronics technician unrestricted license shall be issued to a person having passed black and white, color, and practical and oral examinations conducted by the board and who is in the employ of another in the business of repairing, maintaining and servicing television receiving equipment for a fee or other valuable consideration and whose services may be rendered directly or indirectly to the public;

(c) The aforesaid licensees may service, repair, or maintain all television systems provided for in chapter 394 of the general statutes, as amended, and these regulations as long as his license is current and in effect;

(d) Repealed, February 9, 1976;

(e) Repealed, February 9, 1976;

(f) An apprentice electronics technician license may be issued to a person who has had no technical education in television repair, or has completed courses in basic electronics, or has started but not completed a course in television repair, and who has obtained employment in the trade of television repair, provided the applicant and his employer have enrolled in the apprentice program prepared and offered by the state board of television examiners, the state board of education and the Connecticut state apprenticeship council. Such program shall consist of three years of on-the-job training of which the first two years shall be under supervision of a licensed certified electronics technician, including home study and classroom related instruction and one year of practical experience, under limited supervision of a certified electronics technician, following successful completion of the prescribed two year on-the-job training and course of instruction. Upon notice from the apprenticeship council that the applicant and his employer have been approved and the applicant enrolled in the state apprenticeship program, the board shall issue an apprentice license to the applicant which shall be effective for a period of three years, subject to annual review by the board. Upon completion of the one year of practical experience under limited supervision, the apprentice shall apply to the board to be tested for a certified electronics technician license. Any apprentice who, at any time during his apprenticeship, changes employers shall notify the board in writing within fifteen days giving the name of his new employer. During the limited supervision

period, the employer shall be responsible for all work performed by the apprentice. (1) If the applicant should fail three consecutive examinations, his status shall revert back to that of an apprentice under supervision of a certified electronics technician for a period of not less than six months after which time he may again apply to the board to be tested for a certified electronics technician license. The above conditions shall prevail for an apprentice licensed under this paragraph until he passes the state requirements for a certified electronics technician license. (2) Applicants with prior experience in electronics may be enrolled in the apprentice program at the level of their past experience. Temporary permission to work may be granted pending approval of the applicant and his employer by the state apprenticeship council. (3) An apprentice license may be issued to an applicant enrolled in a program other than that offered by the state board of education and the state apprenticeship council provided such program is at least equal in content and requirements to the state program and such program is approved by said board and council. (4) A part time apprentice license may be issued to an applicant who submits proof of successful completion of a television repair course approved by the state board of education and the state apprenticeship council, or who has the training and experience to qualify for a license but has not worked in the television repair field for one year or longer prior to the time of his application, and who wishes to complete the required one year of practical experience on a part time basis. For purposes of a part time license, one year shall be computed on the basis of two thousand hours of work. Such work shall be subject to the provisions of paragraph (g) with respect to limited supervision. (5) All apprentice licenses issued by the board prior to July 1, 1970, shall continue in effect provided the requirements of the board in effect at the time the license was issued are met.

(g) An apprentice electronics technician license shall be issued to a person who has completed his technical school education in television repair, and has obtained employment in a licensed shop. After having practical shop experience of four hundred hours or six months under the direct supervision of a licensed certified electronics technician who is in the employ of a service dealer certified electronics technician owner, the apprentice may perform television service repairs for his employer for the last six months of his apprenticeship under limited supervision of his employer. At the end of his one year of practical experience, the apprentice shall apply to the board for a change in category to a certified electronics technician license. Any apprentice who terminates his employment any time during the apprenticeship shall immediately notify the board in writing within fifteen days giving the name of his new employer. Before an apprentice starts training under the limited supervision of a certified electronics technician, his employer shall notify the board in writing that the apprentice has reached the stage in his training when limited supervision only is required. During the limited supervision period, the employer shall be responsible for all work performed by the apprentice. When an apprentice has completed his time as set forth in subdivisions (f) and (g) of section 20-344-2, he must apply to the board for a certified electronics technician license. If he should fail three consecutive examinations, his status shall revert back to apprentice under direct supervision of a certified electronics technician for a period of not less than six months after which time he may again apply to the board to be tested for a certified electronics technician license. The above conditions shall prevail for an apprentice until he passes the state requirements for a certified electronics technician license;

(h) A service dealer non-technician owner license shall be issued to a person, firm, corporation or partnership which guarantees television or radio service to the

public whether it employs certified electronic technicians or lets out its work to other service organizations;

(i) A certified master antenna service dealer license restricted to antenna installation and repair shall be issued to a person restricted to contracting to install, repair or maintain all types of television antenna systems for the public and other dealers in the trade, who has passed an examination conducted by the board and whose employees are licensed as certified antenna technicians restricted to antenna installation and repair only and who performs no work on television sets;

(j) A certified antenna technician license restricted to antenna installation and repair shall be issued to a person who has passed an examination by the board and who is in the employ of another in the business of the installation, repair and maintenance of television antenna systems and who performs installations, repairs and maintenance for his employer only and who performs no repairs on television sets.

(k) A certified service dealer license restricted to antenna installation and repair shall be issued to a person restricted to contracting to install, repair or maintain individual antenna systems, primarily used in the home, for the public and dealers in the trade where the only amplification source shall be at the antenna, and who has passed an examination conducted by the board and who performs no work on television sets or master antenna systems;

(*l*) A certified radio electronics served dealer license shall be issued to a person having passed examinations conducted by the board and having an established place of business who engages in the business of maintaining, repairing and servicing radio receiving equipment, phonographs and tape recorders for the public for a fee or other valuable consideration or with the intention, or expectation or upon the promise, of receiving a fee or other valuable consideration

(m) A certified radio electronics technician license restricted to repair of radio receiving equipment, phonographs and tape recorders shall be issued to a person who has passed examinations conducted by the board and who is in the employ of another in the business of repairing, maintaining and servicing radio receiving equipment, phonographs and tape recorders for a fee or other valuable consideration and whose services may be rendered directly or indirectly to the public.

(Effective February 9, 1976)

Sec. 20-344-3. License application

Applications for licenses signed by the applicants shall be made on forms furnished by the board and shall be accompanied by the prescribed fee for examination and for the issuance of a license. Each application shall be completely filled out. The fee for the license shall not be returned if the applicant fails his examination.

(Effective July 9, 1968)

Sec. 20-344-4. Examinations

Applicants for licenses under chapter 394 of the general statutes shall be examined at a time and place fixed by the board. Such examination shall be held not less than three times each year. Applications shall be filed with the board at least ten days before the date set for examination. Examinations shall be confined to the knowledge, practical experience and skill necessary and essential to the proper performance of the service for which the applicant seeks a license, and shall include a practical demonstration of the applicant's skill in connection therewith.

(Effective July 9, 1968)

Sec. 20-344-5. License to be carried

The name of the licensee shall appear on his license and such license shall be carried by the licensee at all times when he is working.

(Effective July 9, 1968)

Sec. 20-344-6. Licensee accountable for employees

In disciplinary proceedings, it shall be no defense that an employee or agent of the licensee acted contrary to order or that the licensee did not participate in the violating action or actions. A licensee will be held strictly accountable for the conduct of his employees and agents.

(Effective July 9, 1968)

Sec. 20-344-7. Motion for reconsideration of action on license

No motion or petition for reconsideration of a denial, revocation or suspension of a license for any reason shall be considered unless it is filed in writing with the board not later than ten days from the date of the order of such denial, revocation or suspension, and unless it sets forth therein in full detail such facts and evidence not previously presented as are pertinent to the issue in question.

(Effective July 9, 1968)

Sec. 20-344-8. Grounds for license revocation or suspension

The board may revoke or suspend any license upon proof (1) that the licensee is not competent or qualified, or (2) for refusal of the licensee or his employee or agent to cooperate with the board or its employees in any matter concerning the conduct of the licensee or his agent or employee.

(Effective July 9, 1968)

Sec. 20-344-9. Notice of change of ownership; change of address. Surrender of license and reinstatement

Each service dealer shall notify the board in writing of a change of ownership or discontinuance of business for any reason. A service dealer may voluntarily surrender his license and may be reinstated at a later date within the license year upon approval of the board. Any person licensed by the board shall notify the board in writing within thirty days of any change of address.

(Effective July 9, 1968)

Sec. 20-344-10. Notice of suspension at licensee's premises

Whenever a license is suspended by the board, there shall be placed on the licensee's premises, in such place or places as the board or its agent determines, one or more placards furnished by the board. These placards shall state the length of the suspension and the reasons therefor and shall be maintained in place by the person whose license has been suspended until the period of suspension has terminated. No work shall be permitted during the suspension period.

(Effective July 9, 1968)

Sec. 20 344-11. Employment restrictions

No person who has been found by the board to be unsuitable shall be employed or engaged either for hire or otherwise in the servicing of recieving equipment. No licensee shall hire or engage an unlicensed technician for a period of more than five days prior to the filing with the board of an application for an apprentice permit or a technician's license. Any violation of this section shall subject the licensee to revocation or suspension of his license by the board.

(Effective April 18, 1972)

Sec. 20-344-12. Renewal of license

Repealed, July 22, 1969.

Sec. 20-344-13. Out-of-state businesses

Each person whose place of business is in another state and who services customers in the state of Connecticut and any employee of any such person shall be subject to the provisions of chapter 394 of the general statutes and these regulations.
(Effective July 9, 1968)

Sec. 20-344-14. Change of license category

When a license has been issued to an applicant in the category he has applied for, he cannot exchange it for another category but shall apply on a new application form with the prescribed fee for the new category. Any holder of an unrestricted certified electronics technician license may, at the time for renewal of his license, change categories for the prescribed fee for the category of his choice without examination, and any holder of a restricted antenna installation and repair license, at the time for renewal of his license. may change from a technician license to dealer license or dealer to technician license for the prescribed fee without an examination.
(Effective July 9, 1968)

Sec. 20-344-15. Application for unrestricted license by restricted licensee

A restricted certified electronics technician may apply for an unrestricted certified electronics technician license upon payment of the prescribed fee and shall be given an examination consisting of the color television multiple questions.
(Effective July 9, 1968)

Sec. 20-344-16. Corporate license

Any corporation registered in the state that has more than one store in this state shall require a license for each store. Any corporation that has one store in this state needs only one license.
(Effective February 9, 1976)

Sec. 20344-17. Ownership of more than one store

Owners of more than one store shall require a license issued to each store. Owners of one store shall require a license issued for that store.
(Effective February 9, 1976)

Sec. 20-344-18. Information to customers of deliverer and loan charges

Before any set is removed from a customer's home to the shop for service, the customer shall be fully informed by the technician if there is a charge for pick-up and delivery service. If the dealer loans a set to the customer during the repair of the customer's set, the dealer shall fully inform the customer whether or not there is a charge for this service.
(Effective July 9, 1968)

Sec. 20-344-19. Notice of minimum charge. Estimates

Before a set is removed from the customer's home to the shop for diagnosis, the dealer shall notify the customer if there is a minimum charge to determine the extent of the repair to the chassis or whether or not such determination would be grouped on a flat charge basis with all labor of which the technician removing the chassis can state the price immediately to the customer. Whenever an estimate is requested

by the customer, there must be mutual agreement as to the amount before the dealer proceeds to repair the set.

(Effective July 9, 1968)

Sec. 20-344-20. Disposition of parts removed

When a service call is completed on repairs in the home, all parts not in warranty shall be left with the customer. When work is performed in a dealer's shop, replaced parts not in warranty shall be returned with the set and left with the customer. Tuners and other parts shall be exempted only when there is exchange value for such tuners or parts. This section shall not apply to picture tubes.

(Effective July 22, 1969)

Sec. 20-344-21. Customer information to be posted on premises

Each dealer shall post at his place of business, on a placard at least twelve inches wide and eighteen inches high with letters and numbers not less than one-half inch in height, in such a manner as to be clearly visible and easily read by customers, the following information.

(a) A statement that all parts not covered by warranty are extra;

(b) for items brought into the shop by customers, the flat rates, hourly rates and minimum rates for (1) chassis work, including tuners, and (2) repairs other than chassis work or tuners, such as replacing tubes and making adjustments;

(c) For a service call to the home (1) the charge for the service call and the amount of time allowed in the home, if any, which is included in such charge (2) the hourly rate and (3) a breakdown of labor charges for the first hour and the rate thereafter.

(Effective February 9, 1976)

Sec. 20-344-22. Information by telephone

On telephone calls for home service, upon request the dealer shall fully inform the customer of the charges and rates posted in accordance with subsections (a) and (c) of section 20-344-21.

(Effective July 22, 1969)

Sec. 20-344-23. License numbers to appear on advertisements and invoices. Retention of invoices

Dealer state license numbers shall be included in all types of printed advertisements. On invoices left with or sent to the customer, the license number may be rubber stamped. All such invoices must be kept for at least one year.

(Effective July 22, 1969)

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Secs. 20-368-1—20-368-11.

Repealed, May 22, 1985.

State Board of Landscape Architects

Sec. 20-368-1a. Definitions

The following terms have, for the purposes of Sections 20-368-1a to 20-368-16a, inclusive, of the Regulations of Connecticut State Agencies, the following meanings:

(a) ''Applicant'' means an individual who has submitted an application for licensure to the board;

(b) ''Board'' means the Connecticut state board of landscape architects;

(c) ''CLARB'' means the Council of Landscape Architectural Registration Boards;

(d) ''Department'' means the Department of Consumer Protection of the state of Connecticut;

(e) ''Design or management of land'' and ''the arrangement of natural and artificial elements'' includes: investigation, selection, and allocation of land and water resources for appropriate uses; feasibility studies; formulation of graphic and written criteria to govern the planning and design of land construction programs; preparation, review and analysis of master plans for land use and development; production of overall site plans, grading and incidental drainage plans, irrigation plans, planting plans, sediment and erosion control plans, and related construction details and specifications; cost estimates and reports for land development; collaboration in the design of public roads, bridges, and structures with respect to the functional and aesthetic requirements of the areas on which they are to be placed; negotiation and arrangement for execution of land area projects; field observation and inspection of land area construction, restoration and maintenance; and

(f) ''LARE'' means the landscape architect registration examination prepared by CLARB, the content and name of which may, from time to time, be amended by CLARB.

(Effective May 22, 1985; amended November 6, 1998)

Sec. 20-368-2a. Board of landscape architects

(a) The board, as provided in Secs. 20-368 and 21a-7 of the General Statutes, shall meet at least once each quarter.

(b) Minutes of meetings will be recorded by the board and kept by the department.

(c) Legally transacted business of the board must be conducted with a quorum present, representing a majority of all board members currently appointed.

(d) The Chairman, who shall be appointed by the Governor, shall conduct all meetings in accordance with statutes and general rules of order.

(Effective May 22, 1985; amended November 6, 1998)

Sec. 20-368-3a. Duties of the board

Duties of the board, as provided in Section 20-368 and 21a-7 of the General Statutes, will include: (a) the review of all applications for licensure, and taking appropriate action in the granting of licenses through examination or without examination; (b) the establishment and enforcement of ethical and professional standards for the practice of landscape architecture; (c) the establishment and enforcement of continuing education requirements; and (d) the conduct of any other such business

or review whose object is the securing of the safety, health and welfare of the general public through the practice of landscape architecture.

(Effective May 22, 1985; amended November 6, 1998)

Sec. 20-368-4a. Applications for licensure by examination

(a) An applicant who has never been licensed in any jurisdiction by examination shall submit an application to the department accompanied by the appropriate fee. Such application shall consist of a council record provided through CLARB. In lieu of a council record, the board may permit, for good cause, an applicant to submit on forms provided by the department information regarding his education and experience.

(b) At the time of application, if an applicant has not passed all parts of the LARE, the department shall provide the applicant with a notice of eligibility to take one or more sections of the LARE.

(c) When the board determines that an applicant has met the licensure standards set forth in Sec. 20-368-8a of the Regulations of Connecticut State Agencies, the board shall authorize the commissioner of consumer protection to issue a license to practice landscape architecture in connecticut subject to the payment of all required fees.

(Effective May 22, 1985; amended November 6, 1998)

Sec. 20-368-5a. Presentation of candidate for examination

(a) Each candidate appearing for the first time shall appear on the first day of the examination period for instructions at the place and time designated by the department.

(b) Each candidate retaking any part of the examination shall appear at the starting time scheduled for the first examination which he is retaking.

(Effective May 22, 1985)

Sec. 20-368-6a.

Repealed, November 6, 1998.

Sec. 20-368-7a. Examination

(a) The examination used by the board to determine eligibility for licensure shall be the LARE. The board shall subscribe to the administration, grading, and scoring procedures adopted by CLARB. No information pertaining to the subject matter of the examination shall be given to an applicant in advance except as specifically authorized by CLARB.

(b) The board, upon proper application, shall accept passing scores achieved by an applicant on sections of the LARE administered in another jurisdiction and attested to by CLARB or a CLARB member board. When requested by an applicant, the board shall forward scores achieved by an applicant to CLARB or another CLARB member board in order to facilitate the applicant's eligibility for a CLARB certificate or licensure in another jurisdiction.

(Effective May 22, 1985; amended November 6, 1998)

Sec. 20-368-8a. Licensure standards

(a) In order to be granted a license, the applicant shall:

(1) Hold a professional degree in landscape architecture from a college or university accredited by the landscape architectural accreditation board;

(2) Have at least two years of diversified experience in landscape architecture under the direct supervision of a licensed landscape architect; and

(3) Have successfully completed the CLARB registration examination where the examination, administration, and grading were conducted in accordance with CLARB standards in effect at the time.

(b) In lieu of holding a professional degree in landscape architecture as required in subdivision (1) of subsection (a) of this section and the experience required in subdivision (2) of subsection (a) of this section, the applicant shall have at least eight years of diversified experience in landscape architecture under the direct supervision of a licensed landscape architect.

(c) For the purposes of subsection (B) of this section, the board may consider diversified experience related to landscape architecture under the direct supervision of a licensed civil engineer or architect when the applicant demonstrates that such experience includes sufficient elements of landscape architecture included in the LARE.

(d) In lieu of holding a professional degree in landscape architecture as required in subdivision (1) of subsection (a) of this section, the board, until June 30, 2001, may consider other formal education in landscape architecture at a non-accredited institution when the applicant demonstrates that such education includes sufficient elements of landscape architecture included in the LARE.

(e) In evaluating an application, the board may require substantiation of the quality and character of the applicant's experience notwithstanding the fact that the applicant has complied with technical standards set forth in this section.

Secs. 20-368-9a—20-368-10a.

Repealed, November 6, 1998.

Sec. 20-368-11a. Reciprocal licensing and waiver of examination

(a) The Board may, by discretionary powers granted under Section 20-371 of the General Statutes, grant licensure by reciprocity subject to subsections (b) through (d) of this section. If there is inadequate evidence upon which to judge the competency of the applicant, the board may require the applicant to take the examination.

(b) The board, in considering whether to grant licensure by reciprocity, shall consider the applicable statutes and regulations from the state in which the applicant is currently licensed, and shall make a determination of whether the licensure standards are substantially similar to or higher than those of this state.

(c) In order to be granted a license by reciprocity, the applicant's experience and/or education shall be either equal to or greater than that required under Section 20-370 of the General Statutes.

(d) An applicant seeking reciprocal licensing or a waiver of the examination requirement pursuant to Section 20-371 of the General Statutes, shall provide the board with a council certificate furnished by CLARB. For good cause shown, the board may permit an applicant, in lieu of a council certificate, to submit information regarding education, examination, and experience in the form of a CLARB council record.

(Effective May 22, 1985; amended November 6, 1998)

Sec. 20-368-12a. Seal

(a) Each person granted a license shall purchase and use a seal, the design, arrangement, size, and wording of which shall conform to that indicated in the figure below. The seal impression may be made on hardcopy documents by a stamping or embossing device, provided the impression shall be clear and legible, or on electronic documents by use of a computer-generated representation of the seal.

(b) Facsimile of seal:

(c) A seal conforming to the above figure, bearing the name and license number of the licensed landscape architect, is approved. The use of any other seal or any variation from the above is disapproved. Seals may be purchased and used after the receipt from the board of the license number.

(Effective May 22, 1985; amended October 2, 2008)

Sec. 20-368-13a. Use of seal

(a) (a) The seal of each licensed landscape architect shall be applied to plans, drawings, specifications or other documents pertaining to any project submitted to the licensee's client.

(b) The use of a licensed landscape architect's seal on any plan, drawing, specification or other document submitted for public review shall be required for all works involving the practice of landscape architecture as defined in Section 20-367 of the Connecticut General Statutes and Section 20-368-1a of the Regulations of Connecticut State Agencies.

(c) A landscape architect shall not sign or seal drawings, specifications, reports, or other professional work for which he or she does not have direct professional knowledge and direct supervisory control; provided, however, that in the case of the portions of such professional work prepared by the landscape architect's consultants, the landscape architect may sign or seal that portion of the professional work if the landscape architect has reviewed such portion, has coordinated its preparation, and intends to be responsible for its adequacy.

(d) An electronic seal shall be permitted on electronic documents if all the following criteria are met:

(1) It is unique to the landscape architect;

(2) It is verifiable;

(3) It is under the landscape architect's direct and exclusive control;

(4) It is linked to the electronic document in such a manner that causes changes to be easily determined and visually displayed if any data in the electronic document file is changed subsequent to the electronic seal having been affixed to the electronic document;

(5) An attempt to change the electronic document after the electronic seal is affixed shall cause the electronic seal to be removed or altered significantly enough to invalidate the electronic seal; and

(6) If the electronic document is to be electronically transmitted, the electronic document is converted to a read-only format.

(e) A landscape architect may electronically transmit an electronic document without affixing an electronic seal, provided there is inserted the following language in lieu of the seal: ''This shall not be considered a sealed document.''

(Effective May 22, 1985; amended November 6, 1998, October 2, 2008)

Sec. 20-368-14a. Rules of professional conduct

(a) **Competence**

(1) In engaging in the practice of landscape architecture, a landscape architect shall act with reasonable care and competence, and shall apply the technical knowledge and skill which are ordinarily applied by landscape architects of good standing, practicing in the same locality.

(2) In designing a project, a landscape architect shall take into account applicable federal, state and municipal laws and regulations. While a landscape architect may rely on the advice of other professionals (e.g., attorneys, engineers, and other qualified persons) as to the intent and meaning of such regulations, once having obtained such advice, a landscape architect shall not knowingly design a project in violation of such laws and regulations.

(3) A landscape architect shall undertake to perform professional services only when he or she, together with those whom the landscape architect may engage as consultants, is qualified by education, training, and experience in the specific technical areas involved.

(4) No individual shall be permitted to engage in the practice of landscape architecture if, in the board's judgment, such individual's professional competence is substantially impaired by physical or mental disabilities. The board shall not, in taking action against a license holder on the basis of such a condition, violate the provisions of Section 46a-73 of the General Statutes or the Federal Americans With Disabilities Act.

(b) **Conflict of interest**

(1) A landscape architect shall not accept compensation for services from more than one party on a project unless the circumstances are fully disclosed to, and agreed to by all interested parties, such disclosure and agreement to be in writing.

(2) If a landscape architect has any business association or direct or indirect financial interest which is substantial enough to influence his or her judgment in connection with his or her performance of professional services, the landscape architect shall fully disclose in writing to the client or employer the nature of the business association or financial interest, and, if the client or employer objects to such association or financial interest, the landscape architect shall either terminate such association or interest or offer to give up the commission or employment.

(3) A landscape architect shall not solicit or accept compensation from material or equipment suppliers in return for specifying their products.

(4) A landscape architect shall not solicit or accept compensation from a contractor in return for selecting such contractor for work on a project.

(5) When acting as the interpreter of contract documents and the judge of contract performance, a landscape architect shall render decisions impartially, favoring neither party to the contract.

(c) **Full disclosure**

(1) A landscape architect, making public statements on landscape architectural questions, shall disclose when he or she is being compensated for making such statements.

(2) A landscape architect shall accurately represent to a prospective or existing client or employer his or her qualifications and the scope of his or her responsibility in connection with work for which he or she is claiming credit.

(3) If, in the course of his or her work on a project, a landscape architect becomes aware of a decision taken by his or her employer or client, against such landscape architect's advice, which violates applicable state or municipal building or land use

codes or regulations, and which will, in the landscape architect's judgment, materially and adversely affect the health, safety and welfare of the public, the landscape architect shall:

(A) Report the decision to the local building inspector or other public official charged with the enforcement of the applicable state or municipal building laws and regulations;

(B) Refuse to consent to the decision; and

(C) In circumstances where the landscape architect reasonably believes that other such decisions will be taken, notwithstanding his or her objections, terminate his or her services with respect to the project. If a landscape architect terminates services in accordance with this subparagraph, the landscape architect shall not be considered to be in violation of this section for such termination of services.

(4) A landscape architect shall not make a materially false statement or fail to disclose a material fact requested in connection with his or her application for a license or renewal thereof.

(5) A landscape architect shall not assist the application for a license of an individual known by the landscape architect to be unqualified in respect to education, training, experience, or character.

(6) A landscape architect possessing knowledge of a violation of the provisions set forth in Sections 20-368-1a to 20-368-16a, inclusive, by another landscape architect shall report such knowledge to the board.

(d) **Compliance with laws**

(1) A landscape architect shall not, while engaging in the practice of landscape architecture, violate any state or federal statute or regulation.

(2) A landscape architect shall neither offer nor make any payment or gift to a government official (whether elected or appointed) with the intent of influencing the official's judgment in connection with a prospective or existing project in which the landscape architect has an interest.

(3) A landscape architect shall comply with the registration laws and regulations governing his or her professional practice in any jurisdiction in which he or she is practicing.

(e) **Professional conduct**

(1) Each office in Connecticut maintained for the preparation of drawings, specifications, reports or other professional landscape architectural work shall have a licensed landscape architect resident and regularly employed in that office having direct supervision of such work.

(2) A landscape architect shall neither offer nor make any gifts, other than gifts of nominal value (including, for example, reasonable entertainment and hospitality), with the intent of influencing the judgment of an existing or prospective client in connection with a project in which the landscape architect is interested.

(3) A landscape architect shall not engage in conduct involving fraud.

(Effective May 22, 1985; amended November 6, 1998)

Sec. 20-368-15a. Continuing education

(a) Each landscape architect shall meet the continuing education requirements set forth in this section as a condition of license renewal. Continuing education obtained by a landscape architect shall maintain, improve, or expand the knowledge and skills obtained prior to initial licensure, and shall develop additional knowledge and skills relevant to the practice of landscape architecture in the promotion of the health, safety, and welfare of the general public.

(b) On or before July 31, 2000, and on or before July 31 of every even numbered year thereafter, each landscape architect shall attach to the license renewal application a certificate signed under penalty of false statement stating that the landscape architect has participated in not less than twenty-four (24) contact hours of continuing education activity. The certificate shall list the course name, the course provider and the date the course was taken. At least six (6) contact hours of the biennial continuing education requirement shall be earned by attendance at a live presentation of a continuing education program. A contact hour is defined as not less than fifty (50) minutes of instruction or its equivalent. A collegiate semester credit shall be the equivalent of forty-five (45) contact hours.

(c) Continuing education activities which satisfy the professional development intent of this section shall include, but are not be limited to, college or university courses; activities conducted by professional programs or organizations which award continuing education credits; portions of technical meetings or seminars related to the technical element of the practice of landscape architecture; preparation and/or presentation of technical research papers at technical meetings; participation in the study and examination in technical subjects sponsored by CLARB; and participation in the preparation of the LARE sponsored by CLARB. Self-directed study or research may be acceptable with the prior approval of the Board. Continuing education credits obtained for the continuing education requirements of other states shall be accepted if the credits meet the standards of this subsection.

(d) A landscape architect shall maintain a record of continuing education activities, including dates, subjects, and other appropriate documentation for a period of five years. A CLARB maintained record shall be acceptable as proof of participation when such record is submitted to the Board by CLARB on the landscape architect's behalf. In lieu of maintaining a record of activity through CLARB, a landscape architect may provide evidence of having fulfilled the continuing education requirements on forms provided by the Board. A landscape architect shall, upon the request of the department, make available documentation to prove compliance with all continuing education requirements.

(e) Failure by a landscape architect to fulfill continuing education requirements shall result in the suspension of the license to practice landscape architecture or other action authorized by law. The Board may reinstate the license or rescind any other penalty when the continuing education requirement has been fulfilled.

(f) A landscape architect shall not be required to meet the provisions of this section for the first biennium in which the landscape architect is initially licensed in this state.

(g) Continuing education credits earned in any biennial continuing education period may not be carried forward into a later period for continuing education credit.

(h) A landscape architect who is unable to comply with the requirements of this section due to extenuating circumstances may apply for a waiver or an extension of time to fulfill such requirements. The Board may authorize the department to renew a license subject to the landscape architect completing such continuing education activities as required by the Board within a given time period.

(i) A landscape architect submitting a renewal application who has not held a license for more than two years shall provide proof that the landscape architect has completed the requirements for continuing education for each biennial period prior to the year of the renewal application. If the landscape architect cannot provide such proof, the Board may authorize the department to issue a renewal license

subject to the landscape architect completing such continuing education activities as required by the Board within a certain time period.
(Adopted effective November 6, 1998)

Sec. 20-368-16a. Council of landscape architectural registration boards

The Board shall maintain membership in CLARB in order for the Board to be eligible to receive the international examination and record keeping services of CLARB. The Board and CLARB shall cooperate in establishing uniform standards of landscape architectural licensing.
(Adopted effective November 6, 1998)

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Interior Designers

Sec. 20-377t-1. Application for certificate of registration as interior designer

Any person seeking a certificate of registration as an Interior Designer shall apply to the Commissioner of Consumer Protection on an application form provided by said Commissioner. Such application form shall include:

(a) Applicant's name;

(b) Applicant's social security number;

(c) Applicant's date and place of birth;

(d) Applicant's firm or business name;

(e) Applicant's business address;

(f) Applicant's residence address;

(g) Information about Applicant's history of licensure or registration as an interior designer from any state or territory of the United States. Such information is to include an explanation of any refusal, revocation, suspension or lapse of certificate or license;

(h) The Applicant must submit satisfactory proof that he/she has fulfilled one of the following:

(1) (A) has passed the Uniform National Examination established by the National Council for Interior Design Qualifications;

(B) has passed any other examination with standards or requirements equal to or greater than those established by such council;

(2) has passed, prior to October 1, 1988, the Uniform National Examination established by the Interior Design Society;

(3) is an architect licensed in the State of Connecticut;

(4) is currently registered in another state having registration or licensing standards or requirements equal to or greater than the standards or requirements of Public Act 87-519; or

(5) has used or was identified by the title of ''interior designer'' for one year or more immediately preceeding October 1, 1983;

(i) such other information as the commissioner may require;

(j) Applicant's signature, date of said signature and said Applicant's signature verified under oath; and

(k) If the Applicant is claiming comparability under Subsection (h) 1 (B), he must provide documents and materials necessary for the Commissioner to determine equivalency.

(Effective February 1, 1989; amended August 26, 1996)

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Ambulance Services

Secs. 20-381-1—20-381-6.

Repealed, June 14, 1988.
(See § 19a-179)

Sec. 20-381-7.

Repealed, November 30, 1971.

Sec. 20-381-8.

Repealed, June 14, 1988.
(See § 19a-179)

Sec. 20-381-9. Application for technician or driver license

Applications for licenses as ambulance technicians and drivers shall be on forms provided by the state ambulance commission.
(Effective July 14, 1970)

Sec. 20-381-10. Renewal of license

Each application for renewal of an ambulance technician or ambulance driver license shall be accompanied by evidence satisfactory to the commission of completion within the twenty-four-month period preceding such application of such refresher course of instruction as the commission may require.
(Effective July 14, 1970)

Sec. 20-381-11.

Repealed, January 1, 1975.

Sec. 20-381-12. Application rejection

Section 20-381-12 shall establish, but not limit the commission to, the following causes for rejecting an application for a license as an ambulance attendant, ambulance driver or ambulance driver/attendant; (1) epilepsy, (2) does not have effective use of both arms, hands, legs and feet, (3) has been convicted of a felony involving moral turpitude within eight years, (4) has been convicted of driving under the influence of liquor or drugs within two years, (5) has been treated for drug or alcohol addiction within the past two years, (6) does not have corrected or uncorrected vision of at least 20/30 in one eye or 20/40 in both eyes, (7) uncontrolled diabetes, (8) total deafness, (9) or any other condition(s) the commission deems sufficient to interfere with the performance of his duties as ambulance driver/attendant.
(Effective December 13, 1972)

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Hearing Aid Dealers

Sec. 20-406-1. Definitions

(a) ''Department'' means the department of health services.

(b) ''Regular place of business'' means that location at which a licensee engaging in the fitting and sale of hearing aids hold himself out to be physically available to the public.

(Effective March 27, 1989)

Secs. 20-406-2—20-406-3.

Repealed, March 27, 1989.

Sec. 20-406-4. Course of study

(a) The course of study, as required by section 20-398 (a) of the Connecticut General Statutes, shall consist of two parts: a formal course of instruction approved by the Department of Health Services and a practical course of study of not less than forty (40) hours of instruction administered by a Connecticut-licensed hearing aid dealer. Both parts of the course of study shall include the following areas of study:

(1) the basic physics of sound;

(2) anatomy and physiology of the ear;

(3) the function of hearing aids;

(4) practical knowledge of fitting and dispensing hearing aids;

(5) the taking of ear mold impressions; and

(6) use of equipment employed in the fitting and dispensing of hearing aids.

(b) The practical course of study shall also include instruction in the provisions of the Connecticut General Statutes, Sections 20-396 through 20-407, inclusive, as most recently amended, these regulations, and any federal laws and regulations governing the sale and fitting of hearing aid devices.

(c) The hearing aid dealer providing the practical course of study shall document in writing to the Department of Health Services the dates and successful completion of the forty hours of practical instruction.

(d) In lieu of the course of study described in subsection (a) of this section, an applicant may substitute successful completion of either a master's degree in audiology from a regionally accredited institution of higher education or a post-secondary course in hearing aid dispensing at a regionally accredited institution of higher education. In either case, the program shall contain the content areas described in subdivisions (1) through (6), inclusive, of subsection (a) of this section. Candidates shall provide such documentation as the department may request to verify that the master's degree program or post-secondary course contained the required content areas.

(e) A person engaged in a course of study and holding a temporary permit may engage in activities authorized by Chapter 398 of the Connecticut General Statutes, as amended, only under the supervision of a Connecticut-licensed hearing aid dealer. Such person shall cause to be documented in writing to the Department of Health Services the dates and successful completion of the course of study.

(Effective March 27, 1989)

Sec. 20-406-5. Period of training

(a) Each applicant who has not completed a course of study, as described in Section 20-406-4 as amended by Section 2 of these regulations, shall complete a period of training as required by Section 20-398 (a) of the Connecticut General Statutes. The period of training shall be supervised by a Connecticut-licensed hearing

aid dealer in good standing and shall consist of at least twenty weeks of training, each week to include not less than 30 hours of supervised work experience. A practical course of study of not less than forty hours of instruction covering the content areas specified in subsections (a) and (b) of Section 20-406-4, as amended by these regulations, shall be completed as part of the twenty-week period of training. Any person engaged in a period of training and holding a temporary permit may engage in activities authorized by chapter 398 of the Connecticut General Statutes, as amended, only under the supervision of a Connecticut-licensed hearing aid dealer.

(b) The supervising hearing aid dealer shall document in writing to the Department of Health Services the successful completion of the training period specified in subsection (a) of this section, specifying the dates of training, content areas of training, evaluation of knowledge and skills learned, and the fitting and dispensing activities completed. The supervisor shall certify that the applicant has, in his opinion, satisfactorily completed the period of training.

(Effective March 27, 1989)

Secs. 20-406-6—20-406-8.

Repealed, March 27, 1989.

Sec. 20-406-9. Equipment and procedures

(a) Each licensed hearing aid dealer and each person holding a temporary permit shall comply with the following while testing for the fitting or sale of any hearing aid:

(1) test in a room which shall have a maximum ambient noise level of fifty-five (55) dBA slow scale; and

(2) within six (6) months after the adoption of these regulations, employ audiometers which conform to the standards of the American National Standards Institute (ANSI) approved by the department.

(b) Each licensed hearing aid dealer and each person holding a temporary permit shall maintain a copy of the calibration certificate of each audiometer used during the preceding year. For the purposes of this provision the term ''the preceding year'' shall mean the twelve month period ending on the thirty-first day of August immediately prior to said September first. The calibration certificate shall bear the name and address of the calibrator and shall state that the calibration was done according to the requirements of the standards of ANSI approved by the department. Said certificate shall be available to the department for review.

(c) Biological checks of audiometers shall be accomplished at least once a month and records of such checks shall be maintained for at least three (3) years.

(d) The department may make random unannounced examinations or inspections of any audiometric facility.

(e) Prospective hearing aid purchasers who, during testing, fitting and taking of history evince any of the following, shall be advised to consult a physician or an otolaryngologist (ear, nose and throat specialist), and a written statement regarding such advice shall accompany the sale of a hearing aid and proof of receipt by the purchaser shall be maintained on file:

(1) visible congenital or traumatic deformity or injury to the ear;

(2) a history of, or active drainage from the ear within the previous ninety (90) days, or complaint of ear pain or discomfort within the previous sixty (60) days;

(3) a history of sudden or rapidly progressive hearing loss within the previous ninety (90) days;

(4) complaint of acute or chronic dizziness;

(5) unilateral hearing loss of sudden or recent onset within the previous ninety (90) days;

(6) an audiometric air-bone gap of 15 dB or greater at 500, 1000, or 2000 Hz;

(7) visible evidence of cerumen accumulation or a foreign body in the ear canal;

(8) a history of, or onset of, or changes in tinnitus within the previous sixty (60) days.

(f) (1) Testing by a licensed hearing aid dealer or each person holding a temporary permit for the purpose of fitting and selling hearing aids shall be conducted as follows:

(a) pure tone testing for air conduction from 250 through 8000 Hz, with masking where appropriate;

(b) pure tone testing for bone conduction from 250 through 4000 Hz, with masking where appropriate;

(c) speech testing to determine the feasibility of the use of a hearing aid by means of formalized audiometry or by the use of a master or live hearing aid.

(2) The tests described in subsection (f) (1) of this regulation may be omitted, in whole or in part when prohibited or expressly not required, by a licensed physician or an otolaryngologist in writing, or when an audiological examination incorporating at least the requirements of section 20-406 (f) (1) of these regulations performed by a licensed audiologist or a licensed physician has been performed upon the prospective hearing aid purchaser within the ninety (90) days preceding, and a copy of the results furnished to the licensed hearing aid dealer or the person holding a temporary permit.

(Effective February 9, 1979; amended December 8, 1997)

Sec. 20-406-10. Sales to persons under the age of eighteen

No licensed hearing aid dealer or person holding a temporary permit shall sell a hearing aid to a person under the age of eighteen (18) unless no more than ninety (90) days shall have elapsed since the later to occur of (a) the otolaryngological examination, or (b) the audiological examination, which are required by section 20-404 (a) (6) of the Connecticut General Statutes.

(Effective February 9, 1979)

Secs. 20-406-11—20-406-12.

Repealed, March 27, 1989.

Sec. 20-406-13. Temporary permit

(a) A temporary permittee may engage in activities authorized by Chapter 398 of the Connecticut General Statutes, as amended, only under the supervision of a Connecticut-licensed hearing aid dealer. Supervision requires the supervisor to review and approve all work, and sign and date all records, except that, while a temporary permittee engaged in a course of study or a period of training is completing the initial eight weeks of activity under a temporary permit, he may engage in activities authorized by Chapter 398 of the Connecticut General Statutes, as amended, only in the presence of a licensed hearing aid dealer. The supervisor is responsible for all activities of the temporary permittee, in so far as these activities are regulated by Chapter 398 of the Connecticut General Statutes. Any violation by a temporary permittee of any state or federal statute or regulation pertaining to hearing aid devices or the fitting or dispensing of hearing aid devices shall be deemed a violation by the supervising hearing aid dealer as well as the temporary permittee. A temporary permittee shall apply for and take the licensure examination prescribed pursuant to subsection (a) of section 20-398 no later than 12 months following issuance of the

temporary permit, and, if unsuccessful on such examination, shall take each subsequent licensure examination scheduled during the effective period of his temporary permit. A temporary permittee who fails to take an examinon required by this subsection or who fails an examination shall, for a period of four weeks from the date of receipt of failing examination results by the temporary permittee or from the date of an examination not taken, engage in activities authorized by Chapter 398 of the Connecticut General Statutes, as amended, only in the presence and under the training of a licensed hearing aid dealer.

(b) The department shall issue a temporary permit to a qualified applicant only upon receipt of certification from a Connecticut-licensed hearing aid dealer that supervision shall be provided by the licensee. The temporary permit shall be valid for a one year period, limited to employment under the supervision of the specified licensed hearing aid dealer. In the event that a temporary permittee discontinues employment with the supervising hearing aid dealer, the temporary permit shall become void. The department shall re-issue the temporary permit without a fee, for any unused portion of the one year period, upon receipt of certification of a Connecticut-licensed hearing aid dealer that supervision shall be provided by the licensee. When engaging in the fitting or selling of hearing aids, a temporary permittee shall represent himself at all times as a person holding a temporary permit pursuant to Chapter 398 of the Connecticut General Statutes.

(c) A temporary permittee shall not independently own or operate a hearing aid establishment or branch office nor in any other way shall he independently provide services in the fitting or selling of hearing aids.

(d) No more than four permittees may be under the supervision of a single licensed hearing aid dealer at any time.

(e) The supervising licensee shall immediately notify the department in writing if the supervisory relationship specified in Section 20-400 (a) of the Connecticut General Statutes is terminated.

(f) The supervising licensee is responsible for ensuring that an unlicensed individual employed under his training and supervision holds a current, valid temporary permit at all times that such individual engages in any commercial activity in hearing aid fitting and dispensing.

(Effective March 27, 1989)

Sec. 20-406-14. License or permit required

Any person evaluating customers for the fitting of a hearing aid device or fitting or dispensing such devices shall either be licensed to perform such functions or shall hold a temporary permit pursuant to Chapter 398 of the Connecticut General Statutes.

(Effective March 27, 1989)

Sec. 20-406-15. Time limit for refund

Any purchaser of a hearing aid entitled to a refund pursuant to Connecticut General Statutes, subsection (a) of section 20-402a, shall be given such refund within 60 days of his request.

(Effective March 27, 1989)

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Licensure of Speech Pathologists and Audiologists

Sec. 20-416 (b)-1. Definitions

The following definitions shall apply for the purpose of sections 20-416 (b)-2 to 20-416 (b)-14, inclusive:

(a) The term ''speech pathologist'' shall include an individual who practices speech pathology under any title or description of service incorporating the words: speech pathologist, speech pathology, speech therapist, speech therapy, speech correction, speech correctionist, speech clinician, speech clinic, language pathologist, language pathology, language therapist, logopedics, logopedist, communicology, communicologist, aphasiologist, aphasia therapist, voice therapy, voice therapist, voice pathologist, phoniatrist, communication disorder specialist, communication specialist, or any similar titles or description of services.

(b) The term ''audiologist'' shall include an individual who practices audiology under any title or description of service incorporating the words: audiology, audiologist, audiological, hearing clinician, hearing clinic, hearing therapy, hearing therapist, hearing conservationist, industrial audiologist, or any similar titles or description of services.

(c) A ''certificate from a national professional organization'' shall mean the certificate of clinical competence in speech-language pathology or audiology issued by the American Speech-Language-Hearing Association, or any other comparable certificate, awarded by a comparable national organization, approved by the Commissioner of Health Services.

(d) ''Screening'' is defined as the use of test procedures (usually pure tone frequency testing) for the purpose of identifying those individuals whose hearing may be at risk. Screening is not diagnostic testing. It does not employ threshold seeking techniques.

(e) ''Audiometric testing'' is defined as the assessment of hearing sensitivity for pure tone air conduction stimuli.

(f) ''Provisional'' and ''standard certificate for speech pathologists and audiologists'' according to the regulations for teacher's certification means the certificate issued by the Connecticut state department of education.

(g) ''Department'' shall mean the Connecticut Department of Health Services.

(h) ''Candidate'' shall mean a person applying for licensure as either a speech pathologist or audiologist pursuant to section 20-411 of the Connecticut General Statutes.

(Effective December 23, 1987)

Secs. 20-416 (b)-2—20-416 (b)-4.

Repealed, June 16, 1982.

Sec. 20-416 (b)-5.

Repealed, April 20, 1995.

Secs. 20-416 (b)-6—20-416 (b)-9.

Repealed, June 16, 1982.

Secs. 20-416 (b)-10—20-416 (b)-11.

Repealed, April 22, 1982.

Sec. 20-416 (b)-12. Supervised professional employment in Connecticut

(a) In order to meet the requirements of Section 20-411 (a) (4) of the Connecticut General Statutes, professional employment undertaken in Connecticut shall be

approved in advance by the Department. Applications for approval shall be upon such forms and provide such information as the Department shall prescribe. The duties of the period of professional employment shall be appropriate to, and shall be supervised by an individual holding, the type of license sought. Candidates seeking licensure in both speech pathology and audiology shall complete two periods of professional employment, one appropriate to speech pathology and one appropriate to audiology.

(b) The length of a professional employment period approved by the Department shall be no longer than 12 months full-time employment or 24 months part-time employment.

(c) The licensed speech pathologist or audiologist supervising the candidate during the professional employment period shall submit an evaluation of the candidate's performance at the end of the professional employment period upon such forms as the Department shall prescribe.

(d) If a candidate beginning the period of approved supervised professional employment has not previously satisfactorily completed the examination prescribed pursuant to Section 20-411 (a) of the Connecticut General Statutes, the candidate shall apply for and take the first available examination.

(e) A professional employment period shall not be accepted as meeting the requirements of Section 20-411 (a) (4) of the Connecticut General Statutes if the candidate fails to receive an evaluation satisfactory to the Department from the licensed speech pathologist or audiologist supervising the professional employment. When a candidate fails to receive a satisfactory evaluation of performance for his period of professional employment, the Department may, in its discretion, approve an additional period of professional employment if the candidate provides documentation of additional formal education or training acceptable to the Department which addresses the deficiencies identified by the Department in its review of the evaluation of the professional employment period.

(f) The Department shall not approve an additional period of professional employment for any candidate who has not passed the examination prescribed pursuant to Section 20-411 (a) of the Connecticut General Statutes.

(g) The supervision of the professional employment period shall consist of at least six (6) sessions of supervision per month providing a total of at least four (4) hours of supervision per month. At least two (2) of these six sessions shall provide a total of at least two (2) hours of direct on-site observation of speech pathology or audiology services delivered by the candidate.

(Effective December 23, 1987)

Sec. 20-416 (b)-13. Examination

(a) The examination prescribed pursuant to Section 20-411 (a) of the Connecticut General Statutes shall be the Educational Testing Service's NTE Specialty Area Test in Speech Pathology or the Educational Testing Service's NTE Specialty Area Test in Audiology. Candidates seeking licensure in both speech pathology and audiology shall be required to pass both Specialty Area Tests.

(b) The examination passing score prescribed pursuant to Section 20-411 (a) of the Connecticut General Statutes shall be a scaled score of 600.

(Effective December 23, 1987)

Sec. 20-416 (b)-14. Professional employment in another state

In lieu of the supervised professional employment period specified in Section 20-416 (b)-12 of the regulations of Connecticut State Agencies, the Department

may, in its discretion, accept an equivalent supervised professional employment period satisfactory to the Department which was undertaken in another state. Alternatively, the Department may, in its discretion, accept professional employment of equivalent duration in another state, provided the candidate had satisfied the educational requirement set forth in subdivision (2) of subsection (a) of Section 20-411 of the Connecticut General Statutes, at the time such employment was undertaken, and provided the candidate was licensed, certified, or held a certificate from a national professional organization, at the time such employment was undertaken.

(Effective December 23, 1987; amended April 20, 1995)

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Limited Swimming Pool Licenses

Sec. 20-417aa-1. Limited swimming pool contractor licenses

(a) Limited swimming pool maintenance and repair contractor's license (SP-1).

The holder of this license may perform all plumbing, heating and electrical work necessary to service, modify or repair any swimming pool, hot tub, spa or similar recreational or therapeutic equipment, where such work commences at an outlet, receptacle, connection, back flow preventor, or fuel supply pipe previously installed by a person holding the proper license. The requirements to qualify for this license exam shall be two (2) years as a properly licensed journeyman or equivalent experience and training.

(b) Limited swimming pool maintenance and repair journeyman's license (SP-2).

The holder of this license may perform all plumbing, heating and electrical work necessary to service, modify or repair any swimming pool, hot tub, spa or similar recreational or therapeutic equipment, where such work commences at an outlet, receptacle, connection, back flow preventor, or fuel supply pipe previously installed by a person holding the proper license and only while the licensee is in the employ of a plumbing contractor licensed for such work. The requirements to qualify for this license exam shall be the completion of a bona fide apprenticeship program or equivalent experience and training.

(Adopted effective September 7, 2007)

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Registration as Home Improvement Contractors and Salesmen

Sec. 20-430-1. Application for certificate of registration as home improvement contractor

Any person seeking a certificate of registration as a home improvement contractor shall apply to the commissioner of consumer protection on a form provided by said commissioner. Such application shall include:

(a) Applicant's name;

(b) Applicant's business status (individual, partnership or corporation);

(c) Applicant's date of birth;

(d) Applicant's social security number;

(e) Applicant's residence address;

(f) Applicant's business address;

(g) Any trade name used by the applicant;

(h) If incorporated, a listing of the names and addresses of all corporate officers;

(i) A description of home improvements to be effected by the applicant; and

(j) The applicant's signature, the date of said signature, and said applicant's signature verified under oath.

(Effective June 5, 1980)

Sec. 20-430-2. Application for certificate of registration as home improvement contract salesman

Any individual seeking a certificate of registration as a home improvement contract salesman shall apply to the commissioner of consumer protection on a form provided by said commissioner. Such application shall include:

(a) Applicant's name;

(b) Applicant's date of birth;

(c) Applicant's social security number;

(d) Applicant's residence address;

(e) Applicant's business address;

(f) Any trade name used by the applicant;

(g) A listing of the names and business addresses of all home improvement contractors on behalf of whom the applicant will solicit home improvement contracts;

(h) A certification signed by each home improvement contractor listed pursuant to subsection (g) of this section that the applicant is authorized to solicit home improvement contracts on behalf of said home improvement contractor and that said contractor is duly registered; and

(i) The applicant's signature, the date of said signature, and said applicant's signature verified under oath.

(Effective June 5, 1980)

Sec. 20-430-3. Notification of change of address or name

Each registrant shall notify the commissioner of consumer protection of any change of residence or business address within thirty (30) days of such change. If any registrant is registered as or in association with any home improvement contractor, that registrant shall notify the commissioner of consumer protection of any change of the trade name of the home improvement contractor within thirty (30) days of such change.

(Effective June 5, 1980)

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Licensure and Training Requirements for Persons Engaged in Asbestos Abatement and Consultation Services

Sec. 20-440-1. Definitions

As used in sections 20-440-1 through 20-440-9 of the Regulations of Connecticut State Agencies:

(1) ''Accredited'' or ''accreditation'' when referring to an individual means that an individual has successfully completed the training requirements as set forth in section 20-440-7 of the regulations of Connecticut State Agencies or the refresher training requirements as set forth in section 20-441 of the regulations of Connecticut State Agencies, and has been issued a document of accreditation by the training provider;

(2) ''Approved training provider'' means any person who satisfactorily demonstrates through application and submission of course agenda, faculty resumes, training manuals, examination materials, and equipment inventory that he meets the minimum requirements established by section 20-440-8 of the regulations of Connecticut State Agencies;

(3) ''Asbestos'' means the asbestiform varieties of actinolite, amosite, anthophyllite, chrysotile, crocidolite and tremolite;

(4) ''Asbestos Abatement'' means the removal, encapsulation, enclosure, renovation, repair, demolition or other disturbance of asbestos-containing materials, but does not include activities which are related to (A) the removal or repair of asbestos cement pipe and are performed by employees of a water company as defined in section 25-32a of the Connecticut General Statutes or (B) the removal of nonfriable asbestos-containing material found exterior to a building or structure other than material defined as regulated asbestos-containing materials in 40 CFR 61, the national emission standards for hazardous air pollutants, as amended from time to time;

(5) ''Asbestos abatement site supervisor'' means any abatement worker employed by a licensed asbestos contractor who has been specifically trained as a supervisor in a training program approved by the department and who has been issued a certificate by the department;

(6) ''Asbestos abatement worker'' means any employee of a licensed asbestos contractor who engages in asbestos abatement, has completed a training program approved by the department and has been issued a certificate by the department;

(7) ''Asbestos-containing material'' or ''ACM'' means material composed of asbestos of any type and in an amount greater than one percent by weight, either alone or mixed with other fibrous or nonfibrous material;

(8) ''Asbestos consultant'' means any person who engages in any activity directly involved with asbestos consultation services and who has been issued a certificate by the commissioner and a license by the department;

(9) ''Asbestos contractor'' means any person engaged in asbestos abatement whose employees actually perform the asbestos abatement work and who has been issued a license by the commissioner;

(10) ''Asbestos consultation services'' means the inspection or evaluation of a building for asbestos hazards, including, but not limited to, the development of asbestos abatement plans, site inspections, air monitoring and provisions of industrial hygiene services related to asbestos abatement;

(11) ''Certified'' or ''certification'' when referring to an individual means that a certificate has been issued by the department under the provisions of sections 20-440-1 through 20-440-9 of the regulations of Connecticut State Agencies to an individual upon successful completion of an approved training or refresher training

course, the receipt of a document of accreditation issued by the training provider, and the fulfillment of any other requirements of the department;

(12) ''Commissioner'' means the commissioner of the department of public health;

(13) ''Department'' means the department of public health;

(14) ''EPA'' means the United States Environmental Protection Agency;

(15) ''Facility'' means the interior and exterior of any private or public building or structure including but not limited to those used for institutional, residential, including single family homes, commercial or industrial purposes and vessels while ashore or in dry dock;

(16) ''Facility owner'' means the person or entity having title to the facility. For purposes of publicly owned property only, the facility owner shall be defined as the chief executive officer of the federal, state or municipal agency which owns or controls the use of the facility;

(17) ''Friable asbestos-containing material'' means any material containing more than one percent asbestos which when dry may be crumbled, pulverized, or reduced to powder by hand pressure. The term includes non-friable asbestos-containing material after such previously non-friable material becomes damaged to the extent, that when dry, it may be crumbled, pulverized, or reduced to powder by hand pressure;

(18) ''High efficiency-particulate air'' or ''HEPA'' means a filtering system capable of trapping and retaining at least 99.97 percent of all monodispersed particles 0.3 micrometer in diameter or larger;

(19) ''HVAC'' means heat, ventilation and air conditioning;

(20) ''Individual'' means any human being;

(21) ''Inspector'' means any licensed asbestos consultant who is certified as an inspector, and identifies, assesses the condition of, or collects bulk samples of suspected asbestos-containing material;

(22) ''License'' means a document issued by the commissioner authorizing an asbestos contractor to engage in asbestos abatement work, or an asbestos consultant to engage in any activity directly involved with asbestos consultation services for which the asbestos consultant is certified. Licensure as an asbestos consultant shall authorize the licensee to engage in activities within the scope of the licensee's certification which includes inspector, management planner, project designer and project monitor;

(23) ''Management planner'' means any licensed asbestos consultant who is certified as a management planner and who uses data gathered by asbestos inspectors to assess asbestos hazards, determine responses and develop implementation plans;

(24) ''NESHAP'' asbestos regulations means the National Emission Standards for Hazardous Air Pollutants codified at 40 CFR 61, subpart M;

(25) ''Non-friable asbestos-containing material'' means any material containing more than one percent asbestos that, when dry, cannot be crumbled, pulverized or reduced to powder by hand pressure;

(26) ''OSHA'' means the Occupational Safety and Health Administration of the United States Department of Labor;

(27) ''Person'' means any individual, corporation, partnership, firm, association, sole proprietorship, the State of Connecticut or any of its political subdivisions, or any other entity;

(28) ''Project designer'' means any licensed asbestos consultant who is certified as a project designer and who determines how asbestos abatement work shall be conducted and prepares the plans, designs, procedures, workscope or other substantive direction or criteria for abatement projects;

(29) ''Project monitor'' means any licensed asbestos consultant who is certified as a project monitor and who functions as an on-site representative of the facility owner or other persons by over-seeing the activities of the asbestos abatement contractor;

(30) ''Response action'' means a method, including removal, encapsulation, enclosure, repair and operation and maintenance that protects human health and the environment from ACM;

(31) ''Spot repair'' means any asbestos-abatement activity involving not more than three linear feet or three square feet of asbestos-containing material; and

(32) ''TSCA'' means Title II of the Toxic Substances Control Act, 15 U.S.C. § 2641 et seq.

(Effective February 9, 1989; transferred and amended June 4, 1999; amended April 5, 2001)

Sec. 20-440-2. Licensure of asbestos contractors

(a) No person shall provide services as an asbestos contractor in this state without first obtaining a license as an asbestos contractor issued by the commissioner. Applications for such license shall be made to the department on forms provided by it, and shall contain such information regarding the applicant's qualifications as the department requires in subsection (b) of this section.

(b) The following provisions apply to the issuance of asbestos contractor licenses:

(1) Application. Applicants for licensure as an asbestos contractor shall document that all employees of the asbestos contractor who perform asbestos abatement have passed a training course approved by the department as defined in subsection 19a-332a-22(c) of these regulations, and shall submit to the department in addition to a completed application as prescribed by the commissioner, the following:

(A) A list of any occupational safety and health, asbestos related citations or notices of violation received within two years prior to the date of application, including the name of the issuing agency or department and final disposition of such citation or notice;

(B) a list of states in which the applicant held or currently holds a license, certification, accreditation, or approval for asbestos abatement work;

(C) written documentation that all asbestos abatement workers and asbestos abatement site supervisors to be engaged in asbestos abatement are or will be trained pursuant to the requirements of section 20-440-7 of the regulations of Connecticut State Agencies. Copies of current certificates issued by the department shall be submitted for each asbestos abatement worker and asbestos abatement site supervisor;

(D) a list of the names and legal addresses of current principal officers, partners or owners;

(E) a list of the names and legal addresses of any asbestos abatement entities in which the applicant's officers, partners or owners have a financial interest;

(F) a list of all names, acronyms, or other identifiers by which the applicant is known or under which the applicant does business or has done business;

(G) a listing of all of the equipment owned by the applicant at the time of application including information on the number of HEPA-filtered vacuum cleaners, HEPA-filtered portable ventilation systems, glove bags and other equipment necessary for asbestos abatement work;

(H) a list of at least three asbestos abatement projects previously completed by the applicant, where applicable, including: the name, address, and phone number of the facility owners of the projects listed; air monitoring data from the projects; and any notification letters or permits which were required; and

(I) demonstration of sufficient recordkeeping and documentation of activities related to asbestos abatement work covering: the recordkeeping requirements of section 19a-332a-4 of the regulations of Connecticut State Agencies, medical monitoring, employee training, equipment specifications, air monitoring data, permits, violations, and any legal actions.

(2) Fees. A certified or bank check, payable to the State of Connecticut, in the amount of five hundred dollars shall be submitted with the application.

(3) Renewal of Licenses. In accordance with section 19a-88 of the Connecticut General Statutes, each person holding a license as an asbestos contractor shall annually, during the month of his or her birth; or if the holder is not an individual, during such other month as the department shall choose, apply for renewal of such license to the department. The license shall be renewed provided the current license holder submits to the department a completed application establishing eligibility for renewal, on forms provided by the department and a certified or bank check in the amount of five hundred dollars. In accordance with section 19a-88(f) of the Connecticut General Statutes, any person who fails to comply with the provisions of this regulation shall be notified by the department that said license shall become void ninety days after the time for its renewal. Any such license shall become void upon the expiration of such ninety day period.

(4) Reciprocity. The commissioner may issue a license under this section to any person who is licensed in another state under a law that provides standards that are equal to or higher than those of Connecticut, unless the application is otherwise subject to denial pursuant to section 19a-14(a)(6) of the Connecticut General Statutes.

(c) **Change of office or residence address.** Whenever any licensed asbestos contractor changes his office or residence address, he shall, within thirty days thereafter, notify the department of his new office or residence address.

(Effective February 9, 1989; transferred and amended June 4, 1999)

Sec. 20-440-3. Licensure and certification of asbestos consultants

(a) No individual shall provide services as an asbestos consultant in this state without first obtaining a license as an asbestos consultant issued by the department. Applications for such license shall be made to the department on forms provided by it, and shall contain such information regarding the applicant's qualifications and experience in asbestos-related consultations as the department may require as set forth in this section.

Asbestos consultants shall perform their activities in compliance with generally recognized standards of practice of the asbestos consulting industry and asbestos professional associations. Certification in one or more disciplines shall be required for licensure as an asbestos consultant.

(b) Certification shall be offered in the following disciplines of asbestos consultation: inspector, management planner, project designer and project monitor. Applicants shall apply for licensure and certification as asbestos consultants simultaneously in the same application. A licensee's activities shall be restricted to the scope of practice of each discipline in which the individual is also certified. However, providing all requirements are met, a licensed asbestos consultant who is certified as a management planner may also perform the duties of an inspector.

(1) Inspector

(A) Scope of Certification. Certification as an inspector authorizes a licensed asbestos consultant to review facilities' records and perform visual inspection or surveillance of facilities; to identify, document or inventory materials suspected of containing asbestos; to collect bulk samples for asbestos analysis according to

procedures established by applicable state or federal laws and regulations; and to provide direct supervision to non-certified individuals collecting bulk samples of materials suspected of containing asbestos. Inspectors shall apply current concepts and knowledge of best available technology to evaluate the conditions and accessibility of ACM.

(B) Qualifications. Applicants shall hold either an associate's or a bachelor's degree from a regionally accredited institution in engineering, architecture, industrial hygiene or an environmental science degree as determined by the commissioner to be closely related, including but not limited to environmental health, biology, and earth science. Applicants shall have a minimum of six months employment experience in an occupation determined by the commissioner to be closely related to that of an inspector or two months of field experience under the direct supervision of a licensed inspector or licensed management planner. Applicants shall have successfully completed the required training as set forth in subdivision 20-440-7(c)(4) or refresher training requirements outlined in section 20-441 of the regulations of Connecticut State Agencies.

(C) Exempted activities. The following activities are exempted from the requirement of certification as an inspector:

(i) Periodic surveillance. A person does not need to be certified as an inspector to perform visual observations of an area that previously has been identified as containing interior ACM or that previously has been assigned to contain interior ACM and that is being inspected to identify changes in the physical condition of that interior ACM. However, no touching or taking of samples is permitted without a certificate as an inspector.

(ii) Compliance inspections. An authorized person from a federal or state agency need not be certified as an inspector to perform a compliance inspection the primary purpose of which is to determine adherence to applicable statutes or regulations and not to locate, assess or remedy the condition of ACM.

(iii) Visual inspections. A person who conducts a visual inspection to determine whether a response action is complete need not be certified as an inspector, but shall be certified as a project monitor.

(2) Management planner

(A) Scope of Certification. Certification as a management planner authorizes a licensed asbestos consultant to utilize information developed from facility inspections to assess potential hazards of ACM; to develop abatement response actions, operations and maintenance plans; to select and recommend abatement actions; and, to perform duties within the scope of certification as an inspector.

(B) Qualifications. Applicants shall hold a bachelor's degree from a regionally accredited institution in engineering, architecture, industrial hygiene or an environmental science degree as determined by the commissioner to be closely related, including but not limited to environmental health, biology, and earth science. Applicants shall have a minimum of six months experience in asbestos abatement, including experience in asbestos management or three months of field experience under the supervision of a licensed asbestos consultant certified as a management planner. Applicants shall have successfully completed training requirements as set forth in subdivision 20-440-7(c)(5) of the regulations of Connecticut State Agencies and be certified as an Inspector.

(3) Project Designer

(A) Scope of Certification. Certification as a project designer authorizes a licensed asbestos consultant to apply knowledge of facility construction, design and development of abatement projects; abatement specifications; bidding documents; architectural drawings; and, schematic representations of material locations. Project designers may also determine how asbestos abatement should be conducted.

(B) Qualifications. Applicants shall hold a bachelor's degree from a regionally accredited institution in engineering, architecture, industrial hygiene or an environmental science degree as determined by the commissioner to be closely related, including but not limited to environmental health, biology, and earth science. Applicants shall have a minimum of one year experience in asbestos abatement, including experience in asbestos abatement design or six months field experience under the supervision of a licensed asbestos consultant certified as a project designer. Applicants shall have successfully completed the training requirements as set forth in subdivision 20-440-7(c)(6) of the regulations of Connecticut State Agencies.

(4) Project Monitor

(A) Scope of Certification. Certification as a project monitor authorizes a licensed asbestos consultant to function in the capacity of on-site representative of the facility owner or other persons, interpret project specifications or abatement management plans, monitor and evaluate contractor or employee compliance with applicable regulations or specifications and ensure that abatement projects are properly conducted and completed. The project monitor shall not also function as the asbestos contractor or as an employee of the asbestos contractor on the same asbestos abatement project for which he is the project monitor.

(B) Qualifications. Applicants shall hold either an associate's or a bachelor's degree from a regionally accredited institution in engineering, architecture, industrial hygiene or an environmental science degree as determined by the commissioner to be closely related, including but not limited to environmental health, biology, and earth science. Applicants shall have a minimum of one year experience in asbestos abatement, including experience in asbestos abatement project monitoring or six months field experience under the supervision of a licensed asbestos consultant certified as a project monitor. Applicants shall have successfully completed the training requirements as set forth in subdivision 20-440-7(c)(7) of the regulations of Connecticut State Agencies.

(Effective February 9, 1989; transferred and amended June 4, 1999)

Sec. 20-440-4. Applications for licensure and certification as an asbestos consultant

(a) Applicants shall make written application for licensure and certification as an asbestos consultant to the commissioner using forms prescribed by the commissioner. Such application shall, as a minimum, require the following:

(1) Evidence that the applicant has successfully completed the training requirements as set forth in subsection 20-440-7(c) of the regulations of Connecticut State Agencies. Evidence shall be in the form of legible copies of the original and current documents of accreditation in the appropriate discipline;

(2) Documentation demonstrating that the applicant has the required educational background and employment experience; and

(3) Payment of a licensure fee.

(b) **Fees.** A certified or bank check, payable to the State of Connecticut, in the amount of two hundred dollars shall be submitted with the application for each discipline in which certification is also being sought.

(c) **Renewal of Licenses.** In accordance with section 19a-88 of the Connecticut General Statutes, each individual holding a license as an asbestos consultant shall annually, during the month of his or her birth apply for renewal of such license to the department. The license shall be renewed provided the current license holder submits to the department a completed application establishing eligibility for renewal, on forms provided by the department and a certified or bank check in the amount of two hundred dollars. In accordance with section 19a-88(f) of the Connecticut General Statutes, any person who fails to comply with the provisions of this regulation shall be notified by the department that said license shall become void ninety days after the time for its renewal. Any such license shall become void upon the expiration of such ninety day period.

(d) **Renewal of certification.** Certification expires simultaneously with accreditation and shall lapse one year from the date of examination of training course or refresher training course. Any individual either seeking licensure or possessing licensure as an asbestos consultant shall maintain current certification in the appropriate discipline.

(e) **Reciprocity.** The commissioner may issue a license under this section to any person who is licensed in another state under a law that provides standards that are equal to or higher than those of Connecticut, unless the application is otherwise subject to denial pursuant to section 19a-14(a)(6) of the Connecticut General Statutes.

(f) **Exemption.** Notwithstanding the provisions of section 20-440-3 of the regulations of Connecticut State Agencies, an individual who between July 1, 1985 and November 1, 1994, has been employed for a minimum of two years as an asbestos consultant may be licensed as an asbestos consultant without a bachelor's degree, provided the applicant has met all other requirements of this section.

(g) Asbestos consultants shall be in physical possession of initial and current license, certification and training accreditation at a job site when performing work requiring licensure, certification and accreditation.

(h) **Change of office or residence address.** Whenever any licensed asbestos abatement consultant changes his office or residence address, he shall, within thirty days thereafter, notify the department of his new office or residence address.

(Effective February 9, 1989; transferred and amended June 4, 1999)

Sec. 20-440-5. Certification and employment as an asbestos abatement site supervisor or as an asbestos abatement worker

(a) No asbestos contractor or asbestos consultant shall employ or allow an individual to work as an asbestos abatement worker or asbestos abatement site supervisor unless such individual has:

(1) provided copies of the initial and most recent documents of accreditation; and

(2) provided a copy of the current certificate issued by the department.

(b) No individual shall provide services as an asbestos abatement site supervisor or as an asbestos abatement worker in this state without a certification to do so issued by the department. Applications for such certification shall be made to the department on forms provided by it, and shall contain such information regarding the applicant's qualifications as required in subsection (d)(1) of this section.

(c) Asbestos abatement, except for spot repairs, shall be performed by a certified asbestos abatement site supervisor or a certified asbestos abatement worker. Asbestos abatement site supervisors and asbestos abatement workers shall have initial and current certificates at the location where they are conducting work. Certification is valid for one year and expires on the same date as that of accreditation.

(d) The following provisions shall apply to the issuance of certificates to asbestos abatement site supervisors and asbestos abatement workers:

(1) Applicants shall make written application to the department using forms prescribed by the commissioner. Such application shall, as a minimum, require the following:

(A) Evidence that the applicant has successfully completed the training requirements as set forth in subsection 20-440-7(c) of the Regulations of Connecticut State Agencies. Evidence shall be in the form of legible facsimiles of the original and when appropriate, current documents of accreditation in the appropriate discipline;

(B) A list of states in which the applicant currently holds or has held a license, certification, accreditation or approval for asbestos abatement work;

(C) The applicant's current residence address; and,

(D) A list of names and legal addresses of all asbestos contractors and asbestos consultants for whom the applicant has performed work the last three years.

(2) Scope of certification of an asbestos abatement site supervisor. Certification as an asbestos abatement site supervisor authorizes an individual to supervise any of the following activities with respect to friable ACM at a facility:

(A) a response action other than a spot repair activity;

(B) a maintenance activity that disturbs friable ACM other than a spot repair activity; and

(C) a response action for a major fiber release episode.

(3) Scope of certification of an asbestos abatement worker. Certification as an asbestos abatement worker authorizes an individual to carry out any of the following activities with respect to friable ACM at a facility:

(A) a response action other than a spot repair activity;

(B) a maintenance activity that disturbs friable ACM other than a spot repair activity; and

(C) a response action for a major fiber release episode.

(e) **Reciprocity.** The commissioner may issue a certificate under this section without examination to any individual who is certified in another state under a law that provides standards equal to or higher than those of Connecticut and who is not subject to any unresolved complaints or pending disciplinary actions, unless the application is otherwise subject to denial pursuant to section 19a-14(a)(6) of the Connecticut General Statutes.

(f) **Change of residence address.** Whenever any certified asbestos abatement supervisor, or certified asbestos abatement worker his residence address, he shall, within thirty days thereafter, notify the department of his new residence address.

(Effective February 9, 1989; transferred and amended June 4, 1999)

Sec. 20-440-6. Denial of eligibility of applicants; Disciplinary action

(a) Denial of eligibility of applicant for licensure, or certification, or renewal. The department may deny the eligibility of any applicant for licensure or certification or for the renewal of a license or certificate in accordance with the provisions of section 19a-14(a)(6) of the Connecticut General Statutes.

(b) Disciplinary action by the department. Following notice and a hearing held in accordance with the provisions of Chapter 54 of the Connecticut General Statutes, the department may take any action permitted by sections 19a-17 and 19a-332e of the Connecticut General Statutes, against any person issued a license or certificate under sections 20-440-1 through 20-440-9 of the Regulations of Connecticut State Agencies for conduct including but not limited to:

(1) Violation of the provisions of section 20-440-1 through 20-440-9 of the Regulations of Connecticut State Agencies;

(2) violation of any other regulations and statutes governing asbestos abatement or licensure;

(3) violation of the standard of care of the profession;

(4) negligence in performing activities that require licensure or certification;

(5) aiding or abetting persons who engage in activities that require licensure or certification, but are not licensed or certified; and,

(6) fraud and deceit in the course of professional services or activities.

(Adopted effective June 4, 1999)

Sec. 20-440-7. Training requirements

(a) **General.** Training programs serving to qualify asbestos abatement site supervisors or asbestos abatement workers for certification and employment and asbestos consultants for certification and licensure shall be subject to approval by the department.

(b) **Approved training**

(1) Training available in other states may be acceptable to the department if the training provider successfully demonstrates that it has met the minimum requirements for training providers established by section 20-440-8 of the regulations of Connecticut State Agencies or that the training provider is an approved provider of training for asbestos in the state in which it is located. If the state in which the training provider is located does not have a regulatory program which approves, certifies or accredits asbestos training programs, the training provider shall be an EPA accredited training facility under the Federal Asbestos Hazard Emergency Response Act of 1986 as amended from time to time.

(2) Training courses not approved by the Commissioner shall not substitute for approved courses and shall not satisfy the requirements for approved training.

(c) **Training curriculum.** Any training course required for certification or licensure as required in sections 20-440-1 through 20-440-5, of the regulations of Connecticut State Agencies shall be conducted by an approved training provider and, as a minimum, meet the following criteria of duration, subject matter and examination.

(1) General

(A) Courses of instruction required for each type of certificate and license identified in sections 20-440-1 through 20-440-5 of the regulations of Connecticut State Agencies shall focus specifically on the activities authorized by each type of license or certificate. The subjects of instruction which a person shall receive to meet the training requirements shall be presented through a combination of lectures, demonstrations, and field trips or hands-on practice, as appropriate.

(B) A training course shall provide instruction in the curriculum described in this subsection to be approved.

(C) Courses requiring hands-on training shall be presented in an environment suitable to permit participants to have actual experience performing tasks associated with asbestos abatement. Demonstrations that do not involve individual participation shall not be accepted as hands-on training. Hands-on training sessions shall maintain a student to instructor ratio not greater than fifteen to one (1).

(D) One training day shall consist of eight hours of actual instruction, hands-on training and field trips or combination thereof, including lunch and breaks.

(2) Asbestos abatement site supervisors. An individual seeking certification and employment as an asbestos abatement site supervisor shall successfully complete an approved five day training course that shall include lectures, demonstrations, at

least fourteen hours of hands-on training, individual respirator fit testing, course review, and a written examination. Successful completion of the training shall be demonstrated by achieving a score of at least seventy percent on the examination. The examination shall be comprised of one hundred multiple choice questions. The course shall address the following topics:

(A) physical characteristics of asbestos and ACM: identification of asbestos, aerodynamic characteristics, typical uses, physical appearance, a review of hazard assessment considerations, and a summary of abatement control options;

(B) potential health effects related to asbestos exposure: the nature of asbestos-related diseases; routes of exposure; dose-response relationships and the lack of a safe exposure level; synergism between cigarette smoking and asbestos exposure; latency period for disease and a discussion of the relationship of asbestos exposure to asbestosis, lung cancer, mesothelioma, and cancers of other organs;

(C) employee personal protective equipment: classes and characteristics of respirator types; limitations of respirators ; selection, inspection, donning, use, maintenance, and storage procedures for respirators; methods for field testing of the facepiece-to-face seal including positive and negative pressure fit checks; qualitative and quantitative fit testing procedures; variability between field and laboratory protection factors; factors that alter respirator fit (e.g., facial hair); the components of a proper respiratory protection program; selection and use of personal protective clothing; use, storage, and handling of non-disposable clothing and regulations covering personal protective equipment;

(D) state-of-the-art work practices: proper work practices for asbestos abatement activities including descriptions of proper construction and maintenance of barriers and decontamination enclosure systems; positioning of warning signs; electrical and ventilation system lock-out; proper working techniques for minimizing fiber release; use of wet methods; use of negative pressure exhaust ventilation equipment; use of HEPA vacuums and proper clean-up and disposal procedures; work practices for removal, encapsulation, enclosures, and repair of ACM; emergency procedures for unplanned releases; potential exposure situations; transport and disposal procedures; recommended and prohibited work practices; discussion of new asbestos abatement-related techniques and methodologies shall be included;

(E) personal hygiene: entry and exit procedures for the work area; use of showers; avoidance of eating, drinking, smoking, and chewing gum or tobacco in the work area; potential exposures, such as family exposure, shall also be included;

(F) additional safety hazards: hazards encountered during abatement activities and how to deal with them, including electrical hazards, heat stress, air contaminants other than asbestos, fire and explosion hazards, scaffold and ladder hazards, slips, trips and falls, and confined spaces;

(G) medical monitoring: OSHA and EPA worker protection rule requirements for physical examinations including a pulmonary function test, chest x-rays and a medical history for each employee;

(H) air monitoring: procedures to determine airborne concentrations of asbestos fibers, including a description of aggressive air sampling, sampling equipment and methods, reasons for air monitoring, types of samples, and interpretation of results, especially from analysis performed by polarized light, phase-contrast, and electron microscopy analyses;

(I) relevant federal, state and local regulatory requirements: procedures and standards including but not necessarily limited to:

(i) Requirements of TSCA, Title II;

(ii) 40 CFR Part 61, NESHAP, Subparts A, General Provisions, and M, National Emission Standards for Asbestos;

(iii) OSHA respirator standard, 29 CFR 1910.134.

(iv) OSHA Asbestos Construction Standard, 29 CFR; and

(v) EPA Worker Protection Rule, 40 CFR Part 763, Subpart G.

(J) Respiratory protection programs and medical monitoring programs;

(K) insurance and liability issues: contractor issues; worker's compensation coverage and exclusions; third-party liabilities and defenses; insurance coverage and exclusions;

(L) recordkeeping for asbestos abatement projects: records required by federal, state and local regulations; records recommended for legal and insurance purposes;

(M) supervisory techniques for asbestos abatement activities: supervisory practices to enforce and reinforce the required work practices and discourage unsafe work practices;

(N) contract specifications: discussion of key elements that are included in contract specifications;

(O) course reviews: a review of key aspects of the training course.

(3) Asbestos Abatement Workers. An individual seeking certification and employment as an asbestos abatement worker shall successfully complete at least a four day approved training course as outlined in this subdivision or the course required under subsection (c)(2) of this section. The worker training course shall include lectures, demonstrations, at least fourteen hours of hands-on training, individual respirator fit testing, course review, and a written examination. Successful completion of the course shall be demonstrated by achieving a score of at least seventy percent on the examination. The examination shall be comprised of fifty multiple choice questions. The course shall address the following topics:

(A) physical characteristics of asbestos: identification of asbestos and its aerodynamic characteristics, typical uses, and physical appearance, and a summary of abatement control options;

(B) potential health effects related to asbestos exposure: the nature of asbestos-related diseases; routes of exposure; dose-response relationships and the lack of a safe exposure level; synergistic effect between cigarette smoking and asbestos exposure ; latency period for related diseases; and a discussion of the relationship of asbestos exposure to asbestosis, lung cancer, mesothelioma, and cancers of other organs;

(C) employee personal protective equipment: classes and characteristics of respirator types; limitations of respirators and their proper selection, inspection, donning, use, maintenance, and storage procedures; methods for field testing of the facepiece-to-face seal including positive and negative pressure fit checks; qualitative and quantitative fit testing procedures; variability between field and laboratory protection factors; factors that alter respirator fit, e.g., facial hair; the components of a proper respiratory protection program; selection and use of personal protective clothing; use; storage; and handling of non-disposable clothing; and regulations covering personal protective equipment;

(D) state-of-the-art work practices: proper work practices for asbestos abatement activities, including descriptions of proper construction and maintenance of barriers and decontamination enclosure systems; positioning of warning signs; electrical and ventilation system lock-out; proper working techniques for minimizing fiber release; use of wet methods; use of negative pressure exhaust ventilation equipment; use of hepa vacuums; proper clean-up and disposal procedures; work practices for removal, encapsulation, enclosure, and repair of ACM; emergency procedures for sudden

releases; potential exposure situations; transport and disposal procedures; and recommended and prohibited work practices;

(E) personal hygiene: entry and exit procedures for the work area; use of showers; avoidance of eating, drinking, smoking, and chewing gum or tobacco in the work area; and potential exposures, such as family exposure;

(F) additional safety hazards: hazards encountered during abatement activities and how to deal with them, including electrical hazards, heat stress, air contaminants other than asbestos, fire and explosion hazards, scaffold and ladder hazards, slips, trips, and falls and confined spaces;

(G) medical monitoring: OSHA and EPA worker protection rule requirements for physical examinations, including a pulmonary function test, chest x-rays and a medical history for each employee;

(H) air monitoring : procedures to determine airborne concentrations of asbestos fibers, focusing on how personal air sampling is performed and the reasons for it;

(I) relevant federal, state and local regulatory requirements, procedures, and standards: particular attention directed at relevant EPA, OSHA, and state regulations concerning asbestos abatement workers;

(J) establishment of respiratory protection programs; and

(K) course review: a review of key aspects of the training course.

(4) Inspector. An individual seeking certification in this discipline shall successfully complete an approved course of training consisting of at least three days training, as outlined in this subdivision. The inspector training course shall include lectures, demonstrations, at least four hours of hands-on training, individual respirator fit testing, course review and a written examination. Successful completion of the course shall be demonstrated by achieving a score of at least seventy percent on the examination. The examination shall be comprised of fifty multiple choice questions. Courses shall include instruction on:

(A) Background information on asbestos: identification of asbestos, and examples and discussion of the uses and location of asbestos in facilities and physical appearance of asbestos;

(B) potential health effects related to asbestos exposure: the nature of asbestos-related diseases; routes of exposure; dose-response relationships and the lack of a safe exposure level; the synergistic effect between cigarette smoking and asbestos exposure; the latency period for asbestos-related diseases and a discussion of the relationship of the asbestos exposure to asbestosis, lung cancer, mesothelioma and cancer of other organs;

(C) the functions, qualifications and role of inspectors: discussions of prior experience and qualifications for inspectors and management planners; discussions of the functions of an inspector as compared to those of a management planner and discussion of inspection process including inventory of acm and physical assessment;

(D) legal liabilities and defenses: responsibilities of the inspector and management planner; a discussion of comprehensive general liability policies, claims made and occurrence policies, environmental and pollution liability policy clauses; state liability insurance requirements and bonding and the relationship of insurance availability to bond availability;

(E) understanding facility systems: the interrelationship between facility systems, including an overview of common facility physical plan layouts; HVAC system types, physical organization and where asbestos is found on hvac components; facility mechanical systems, their types and organization and where to look for

asbestos on such systems; inspecting electrical systems, including appropriate safety precautions; and reading blueprints and as-built drawings;

(F) occupant relations: notifying employee organizations about the inspection; signs to warn facility occupants; tact in dealing with occupants and the press; scheduling of inspections to minimize disruption; and education of facility occupants about actions being taken;

(G) pre-inspection planning and review of previous inspection records: scheduling the inspection and obtaining access; facility record review; identification of probable homogeneous areas from blueprints or as-built drawings; consultation with maintenance or facility personnel; review of previous inspection, sampling and abatement records of a facility and the role of the inspector in exclusions for previously performed inspections;

(H) inspecting for friable and non-friable ACM and assessing the condition of friable ACM: procedures to follow in conducting visual inspections for friable and non-friable ACM; types of building materials that may contain asbestos; touching materials to determine friability; open return air plenums and their importance in hvac systems; assessing damage, significant damage, potential damage, and potential significant damage; amount of suspected ACM, both in total quantity and as a percentage of the total area; type of damage; accessibility; material's potential for disturbance; known or suspected causes of damage or significant damage and deterioration as assessment factors;

(I) bulk sampling and documentation of asbestos in schools and public and commercial buildings: detailed discussion of ''A Simplified Sampling Scheme for Friable Surfacing Materials (EPA 560/5-85-030a October 1985)''; techniques to ensure sampling in a randomly distributed manner for non-friable surfacing materials; sampling of non-friable materials; techniques for bulk sampling; inspector's sampling and repair equipment; patching or repair of damage done in sampling; an inspector's repair kit; discussion of polarized light microscopy; choosing an accredited laboratory to analyze bulk samples; quality control and quality assurance procedures;

(J) inspector respiratory protection and personal protective equipment: classes and characteristics of respirator types; limitations of respirators; proper selection, inspection, donning, use, maintenance, and storage procedures for respirators; methods for field testing of facepiece-to-face seal including positive and negative pressure fit checks; qualitative and quantitative fit testing procedures; variability between field and laboratory protection factors that alter respiratory fit, e.g., facial hair; the components of a proper respiratory protection program; selection and use of personal protective clothing; use, storage, and handling of non-disposable clothing;

(K) recordkeeping and writing the inspection report: labeling of samples and keying sample identification to sampling location; recommendations on sample labeling; detailing of ACM inventory; photographs of selected sampling areas and examples of ACM condition; and information required for inclusion in the management plan by TSCA title ii section 203 (i)(1);

(L) regulatory review : the following topics shall be covered: national emission standard for hazardous air pollutants, neshap; 40 CFR Part 61, Subparts A and M; EPA worker protection rule found at 40 CFR part 763, subpart G; OSHA asbestos construction standard found at 29 CFR 1926.1101; OSHA respirator requirements found at 29 CFR 1910.134; the friable asbestos in schools rule found at 40 CFR part 763, subpart F; applicable state and local regulations, and differences between federal and state requirements where they apply, and the effects, if any, on public and non-public schools or commercial or public facilities;

(M) field trip: a field exercise including a walk-through inspection; on-site discussion on information gathering and determination of sampling locations; on-site practice in physical assessment and classroom discussion of field exercise;

(N) course review: a review of key aspects of the training course.

(5) Management planners: an individual seeking certification in this discipline shall successfully complete the training program as described in subdivision (c)(4) of this section, and successfully complete a two day management planner training course consisting of lectures, demonstrations, course review and a written examination. Successful completion of the course shall be demonstrated by achieving a score of at least seventy percent on the examination. The examination shall be comprised of fifty multiple choice questions. The course shall address but not be limited to the following topics:

(A) Course overview: the role and responsibilities of the management planner; operations and maintenance programs; setting work priorities; and protection of facility occupants;

(B) evaluation and interpretation of survey results: review of TSCA Title II requirements for inspection and management plans for school buildings as given in section 203 (i)(l) TSCA Title II interpretation of field data and laboratory results and comparison of field inspector's data sheet with laboratory results and site survey;

(C) hazard assessment: amplification of the difference between physical assessment and hazard assessment; the role of the management planner in hazard assessment; explanation of significant damage, damage, potential damage, and potential significant damage; use of a description decision treecode for assessment of ACM; assessment of friable ACM and relationship of accessibility, vibration sources, use of adjoining space, and air plenums and other factors to hazard assessment;

(D) legal implications: liability; insurance issues specific to planners; liabilities associated with interim control measures, in-house maintenance, repair, and removal and use of results from previously performed inspections;

(E) evaluation and selection of control options: overview of encapsulation, enclosure, interim operations and maintenance, and removal; advantages and disadvantages of each method; response actions described via a decision tree or other appropriate method; work practices for each response action; staging and prioritizing of work in both vacant and occupied facilities; and the need for containment barriers and decontamination in response actions;

(F) role of other professionals: use of industrial hygienists, engineers and architects in developing technical specifications for response actions; any requirements that may exist for architect sign-off of plans; and team approach to design of high-quality job specifications;

(G) developing an operations and maintenance plan: purpose of the plan; discussion of applicable EPA guidance documents; what actions should be taken by custodial staff; proper cleaning procedures, steam cleaning and HEPA-vacuuming; reducing disturbance of ACM; scheduling operation and maintenance for off-hours; rescheduling or canceling renovations in areas with ACM; boiler room maintenance; disposal of ACM; in-house procedures for ACM-bridging and penetrating encapsulants; pipe fittings; metal sleeves; polyvinylchloride, canvas and wet wraps; muslin with straps; fiber mesh cloth; mineral wool, and insulating cement; discussion of employee protection programs and staff training; case study in developing an operation and maintenance plan to include the development, implementation process and problems that have been experienced;

(H) regulatory review: focusing on the OSHA Asbestos Construction Standard found at 29 CFR 1926.1001; NESHAP requirements, found at 40 CFR Part 61

Subparts A, General Provisions, and M, National Emission Standards for Asbestos, EPA Worker Protection Rule found at 40 CFR Part 763, Subpart G; TSCA Title II; applicable state and local regulations, and differences in federal and state requirements - where they apply and the effects, if any, on public and non-public schools;

(I) recordkeeping for the management planner: use of field inspector's data sheet along with laboratory results; on-going recordkeeping as a means to track asbestos disturbance; and procedures for recordkeeping;

(J) assembling and submitting the management plan: plan requirements for schools in TSCA Title II Section 203 (i) (1); the management plan as a planning tool;

(K) financing abatement actions: economic analysis and cost estimates; development of cost estimates; present costs of abatement versus future operation and maintenance costs; Asbestos School Hazard Abatement Act grants and loans;

(L) course review: a review of key aspects of the training course.

(6) Project designers: An individual seeking certification in this discipline shall successfully complete a course of instruction of three days duration consisting of lectures, demonstrations, individual respirator fit testing, a field trip, course review and written examination. Successful completion of the course shall be demonstrated by achieving a score of at least seventy percent on the examination. The examination shall be comprised of one hundred multiple choice questions. The course shall address the following topics:

(A) Background information on asbestos: identification of asbestos; examples and discussion of the uses and locations of asbestos in facilities and physical appearance of asbestos;

(B) potential health effects related to asbestos exposure: nature of asbestos related diseases; routes of exposure; dose-response relationships and the lack of a safe exposure level; the synergistic effect between cigarette smoking and asbestos exposure; the latency period of asbestos related diseases; and a discussion of the relationship between asbestos exposure and asbestosis, lung cancer, mesothelioma and cancer of other organs;

(C) overview of abatement construction projects : abatement as a portion of a renovation project and OSHA requirements, 29 CFR 1926.1101, for notification of other contractors on a multi-employer site.

(D) Safety system design specification: design, construction and maintenance of containment barriers and decontamination enclosure systems; positioning of warning signs; electrical and ventilation system lock-out; proper working techniques for minimizing fiber release; entry and exit procedures for the work area; use of wet methods; proper techniques for initial cleaning; use of negative pressure exhaust ventilation equipment; use of HEPA vacuums; proper clean-up and disposal of asbestos; work practices as they apply to encapsulation, enclosure, and repair; and use of glove bags and a demonstration of glove bag use;

(E) field trip: a visit to an abatement site or other suitable facility site, including on-site discussion of abatement design, and facility walk-through inspection including a discussion of rationale for the concept of functional spaces during the walk-through and a discussion following the walk-through;

(F) employee personal protective equipment: classes and characteristics of respirator types; limitations of respirators; proper selection, inspection, donning, use, maintenance, and storage procedures for respirators; methods for field testing of the facepiece-to-face seal including positive and negative pressure fit checks; qualitative and quantitative fit testing procedures; variability between field and laboratory protection factors; factors that alter respirator fit, e.g., facial hair; components of

proper respiratory protection program; selection and use of personal protective clothing; use, storage and handling of non-disposable clothing; and regulations covering personal protective equipment;

(G) additional safety hazards: hazards encountered during abatement activities and how to deal with them, including electrical hazards, heat stress, air contaminants other than asbestos, fire and explosion hazards;

(H) fiber aerodynamics and control: aerodynamic characteristics of asbestos fibers; importance of proper containment barriers; settling time for asbestos fibers; wet methods in abatement; aggressive air monitoring following abatement; aggressive air movement and negative-pressure exhaust ventilation as a clean-up method;

(I) designing abatement solutions: discussions of removal, enclosure, and encapsulation methods; asbestos waste disposal;

(J) final clearance process: discussion of the need for a written sampling rationale for aggressive final air clearance; requirements of a complete visual inspection and the relationship of the visual inspection to final air clearance;

(K) budgeting and cost estimating: development of cost estimates; present costs of abatement versus future operation, and maintenance costs; and setting priorities for abatement jobs to reduce cost;

(L) writing abatement specifications: preparation of and need for a written project design; means and methods specifications versus performance specifications; design of abatement in occupied facilities; modification of guide specifications for a particular facility; worker and facility occupant health and medical considerations; replacement of ACM with non-asbestos substitutes; clearance of work area after abatement; and air monitoring for clearance;

(M) preparing abatement drawings: significance and need for drawings; use of as-built drawings as base drawings; use of inspection photographs and on-site reports; methods of preparing abatement drawings; diagramming containment barriers; relationship of drawings to design specifications and particular problems related to abatement drawings;

(N) contract preparation and administration;

(O) legal liabilities and defenses: insurance considerations; bonding; hold-harmless clauses; use of abatement contractor's liability insurance; and claims-made versus occurrence policies;

(P) replacement: replacement of asbestos with asbestos-free substitutes;

(Q) role of other consultants: development of technical specification sections by industrial hygienists or engineers; the multidisciplinary team approach to abatement design;

(R) occupied facilities: special design procedures required in occupied facilities; education of occupants; extra monitoring recommendations; staging of work to minimize occupant exposure; and scheduling of renovation to minimize exposure;

(S) relevant federal, state and local regulatory requirements, procedures and standards including but not limited to:

(i) TSCA, Title II.

(ii) 40 CFR Part 61, NESHAP, Subparts A, General Provisions, and M, National Emission Standard for Asbestos.

(iii) OSHA Respirator Standard, 29 CFR 1910.134.

(iv) EPA Worker Protection Rule, 40 CFR Part 763, Subpart G.

(v) OSHA Asbestos Construction Standard, 29 CFR 1926.1101.

(vi) OSHA Hazard Communication Standard, 29 CFR 1910.1200.

(T) course review: a review of key aspects of the training course.

(7) Project monitor. An individual seeking certification in this discipline shall successfully complete an approved course of training consisting of at least five days training, as outlined in subdivision (c)(2) of this section. On and after one year following the effective date of these regulations, an individual seeking certification in this discipline shall have successfully completed an approved course of training consisting of at least five days training, as outlined in this subdivision. The project monitor training course shall include lectures, demonstrations, at least six hours of hands-on training, individual respirator fit-testing, course review and a written examination. Successful completion of the training shall be demonstrated by achieving a score of at least seventy percent on the examination. The examination shall be comprised of one hundred multiple choice questions. The course shall address the following topics:

(A) roles and responsibilities of the project monitor: definition and responsibilities of the project monitor, including regulatory/specification compliance monitoring, air monitoring, conducting visual inspections and final clearance monitoring;

(B) characteristics of asbestos and asbestos-containing materials: typical uses of asbestos; physical appearance of asbestos; review of asbestos abatement and control techniques; presentation of the health effects of asbestos exposure, including routes of exposure, dose-response relationships and latency periods for asbestos-related diseases;

(C) federal asbestos regulations: overview of pertinent EPA regulations, including: NESHAP, 40 CFR Part 61, subparts A and M; AHERA, 40 CFR part 763, Subpart E and the EPA worker protection rule, 40 CFR part 763, subpart G; overview of pertinent OSHA regulations, including: construction industry standard for asbestos, 29 CFR 1926.1101; respirator standard, 29 CFR 1910.134 and hazard communication standard, 29 CFR 1910.1200 applicable state and local asbestos regulations and regulatory interrelationships;

(D) understanding facility construction and facility systems: facility construction basics and facility physical plan layout; understanding facility systems, HVAC, electrical, etc.; layout and organization, where asbestos is likely to be found on facility systems; renovations and the effect of asbestos abatement on facility systems;

(E) asbestos abatement contracts, specifications and drawings: basic provisions of the contract; relationships between principle parties and establishing chain of command; types of specifications, including means and methods; performance and proprietary and nonproprietary; reading and interpreting records and abatement drawings; discussion of change orders; common enforcement responsibilities and authority of project monitor;

(F) response actions and abatement practices: pre-work inspections; pre-work considerations, precleaning of the work area, removal of furniture, fixtures and equipment; shutdown/modification of facility systems; construction and maintenance of containment barriers and proper demarcation of work areas; work area entry and exit and hygiene practices; determining the effectiveness of air filtration equipment; techniques for minimizing fiber release, wet methods and continuous cleaning; abatement methods other than removal; abatement area clean-up procedures; waste transport and disposal procedures and contingency planning for emergency response;

(G) asbestos abatement equipment: typical equipment found on an abatement project; air filtration devices, vacuum systems and negative pressure differential monitoring; HEPA filtration units, theory of filtration, design and construction of filtration units, qualitative and quantitative performance of HEPA filtration units, sizing the ventilation requirements, location of HEPA filtration units, qualitative and quantitative tests of containment barrier integrity and best available technology;

(H) personal protective equipment: proper selection of respiratory protection; classes and characteristics of respirator types, limitations of respirators; proper use of other safety equipment, protective clothing selection, use and proper handling, hard or bump hats, safety shoes, breathing air systems, high pressure versus low pressure, testing for Grade D air and determining proper backup air volumes;

(I) air monitoring strategies: sampling equipment, sampling pumps low versus high volume pumps; flow regulating devices including critical and limiting orifices, use of fibrous aerosol monitors on abatement projects; sampling media, types of filters, types of cassettes, filter orientation, storage and shipment of filters; calibration techniques, primary calibration standards, secondary calibration standards, temperature and pressure effects, frequency of calibration, recordkeeping and field work documentation and calculations; air sample analysis, techniques available and limitations of ahera on their use, transmission electron microscopy, e.g. background to sample preparation and analysis, air sample conditions which prohibit analysis, EPA's recommended technique for analysis of final air clearance samples; phase contrast microscopy, background to sample preparation and AHERA's limits on the use of phase contrast microscopy; and what each air sampling technique measures; analytical methodologies, AHERA TEM protocol, NIOSH 7400, OSHA reference method, non clearance, and EPA recommendation TEM for clearance; sampling strategies for clearance monitoring, types of air samples including personal breathing zone versus fixed-station area, sampling location and objectives to include pre-abatement, during abatement and clearance monitoring; number of samples to be collected, minimum and maximum air volumes; clearance monitoring to include post-visual-inspection, e.g. number of samples required, selection of sampling locations, period of sampling, aggressive sampling, interpretations of sampling results and calculations, and quality assurance; special sampling problems, crawl spaces, acceptable samples for laboratory analysis and sampling in occupied facilities such as barrier monitoring;

(J) safety and health issues other than asbestos: confined-space entry, electrical hazards, fire and explosion concerns, ladders and scaffolding, heat stress, air contaminants other than asbestos, fall hazards and hazardous materials on abatement projects;

(K) conducting visual inspections: inspections during abatement, visual inspections using the ASTM E1368 document; conducting inspections for completeness of removal and discussion of ''how clean is clean?''

(L) legal responsibilities and liabilities of project monitors: specification enforcement capabilities; regulatory enforcement; licensing and powers delegated to project monitors through contract documents;

(M) recordkeeping and report writing: developing project logs and daily logs; what should be included and who sees them; final report preparation and recordkeeping under federal regulations;

(N) workshops - six hours spread over three days:

(i) Workshop A - contracts, specifications and drawings. Participant shall be issued a set of contracts, specifications, and drawings and then asked to answer questions and make recommendations to a project architect, engineer or to the building owner based on given conditions and these documents.

(ii) Workshop B - air monitoring strategies and asbestos abatement equipment: simulated abatement sites for which sampling strategies would have to be developed e.g. occupied facilities, industrial situations.

(iii) Workshop C - conducting visual inspections: an interactive video in which a participant is ''taken through'' a work area and asked to make notes of what is

seen. A series of questions shall be asked which are designed to stimulate a person's recall of the area. A series of two or three videos with different site conditions and different degrees of cleanliness. A reasonable substitute may be used subject to the approval of the department; and

(O) course review: a review of key aspects of the training course.

(Effective February 9, 1989; transferred and amended June 4, 1999)

Sec. 20-440-8. Training provider administrative tasks and certification requirements

(a) **Approval of training providers.**

(1) Training courses required for licensure, certification, and employment as set forth in sections 20-440-1 through 20-440-7 of the Regulations of Connecticut State Agencies shall be approved by the commissioner in writing.

(2) Persons wishing to provide such training courses shall meet the minimum qualifications and criteria described in this subsection. The commissioner, upon application, may approve either initial training courses or refresher training courses or both.

(3) Each of the courses of training that are to be used to fulfill training requirements shall obtain individual approval by the commissioner. Providers of approved training shall permit up to two representatives of the commissioner to attend each course and to take the written examination without cost to the department.

(4) Courses of training may be approved following the submission of an application to the commissioner on forms provided by the department.

(5) Approval shall be for a period of one year from the date of last approval. Providers shall reapply for course approval at least thirty days, but not more than sixty days prior to the expiration date of the approved course. Re-application for approval shall include all the information required by this subsection.

(6) Providers located outside the State of Connecticut shall submit all of the information required by this subsection and copies of applicable state or federal approvals, including the name, address, telephone number of the person, department or agency giving such approval.

(b) Training providers shall perform the following as a condition of maintaining their approved status:

(1) Issue written documentation of accreditation within thirty calendar days to students who complete the training course or refresher training course and pass the course examination. The written documentation shall include a unique certificate number, the name of the accredited person, the discipline of the training course completed, the dates of the training course, the date of the examination, an expiration date of one year after the date upon which the person successfully completed the course and examination, the name, address and telephone number of the training provider that issued the certificate, or statement that the person receiving the certificate has completed the requisite training for asbestos accreditation under TSCA Title II and the name of the state in which the course was given. Written documentation shall state that accreditation shall lapse one year from the date of the exam.

(2) provide to the commissioner within thirty calendar days of the conclusion of the course, the name, address, telephone number, social security number, course title and dates given, for each student passing the course examination; retain such information for a period of three years.

(3) notify the commissioner, in writing, of any changes in course content, training aids used, facility utilized or other matters which would alter the instruction from

that described in the approval application. Minor changes in agenda, such as guest speaker, if otherwise qualified, and course schedule are exempted.

(4) notify the commissioner, in writing, of courses scheduled at least ten days prior to the starting date for the course.

(5) utilize and distribute, as part of the course, content information or training aids furnished by the department.

(c) **Application for training course approval.** Application for approved training provider status shall be submitted to the commissioner in writing on forms provided by the department. Such applications shall contain the following information:

(1) The name under which the training provider conducts or intends to conduct the training;

(2) name, address, telephone number of the person conducting the course;

(3) the type of course for which approval is requested;

(4) a list of any other states that currently approve the training course;

(5) a course outline showing topics covered, the amount of time given to each topic, the amount of time given to each type of hands-on training and the length of the training day;

(6) a copy of the course manuals for instructors and students, including all printed material to be distributed in the course;

(7) a description of teaching methods to be employed, including description of audio-visual aids to be used;

(8) a description of the hands-on training, including the facility to be utilized, including protocol of instruction, number of students to be accommodated and the number of instructors;

(9) a description of the equipment that will be used in both classroom lectures and in hands-on training;

(10) a description of the background, training, and experience of the faculty providing the training, including instructors' names and qualifications;

(11) an example of the written examination to be given showing the standard length and format along with required passing score;

(12) a detailed statement about the development of the examination as used in the course;

(13) a list of the fees required;

(14) a sample copy of the written documentation given to course participants upon successful completion of the course;

(15) an example of the numbered documents of accreditation issued to students who attend the course and pass the examination; and

(16) any additional information or documentation as may be required by the commissioner to evaluate the adequacy of the application.

(d) **Suspension and withdrawal of training course approval.**

(1) General. The department shall conduct periodic reviews of approved training courses and may revoke approval at any time it determines that the course fails to meet the requirements established by this section or the Connecticut General Statutes governing the provision of such services.

(2) Criteria. Suspension or withdrawal of training course approval by the department shall be based on the following criteria:

(a) Misrepresentation of the extent of a training course's approval by another state or EPA;

(b) failure to submit required information or notifications in a timely manner;

(c) failure to maintain requisite records;

(d) falsification of accreditation records, instructor qualifications, or other accreditation information;

(e) failure to adhere to the training standards and requirements of sections 20-440 and 20-441 of the Connecticut General Statutes and corresponding regulations; or

(f) violation of other asbestos regulations administered by the department.

(Adopted effective June 4, 1999)

Sec. 20-440-9. Recordkeeping

(a) **Approved training providers.** Approved training providers shall establish and maintain records and documents pursuant to the requirements of section 20-440-8(b) of the regulations of Connecticut State Agencies and shall make such records and documents available to the commissioner and/or the EPA upon request. Training providers whose principal place of business is outside of the State of Connecticut shall provide hard copy of such records or documents within ten business days of receipt of such a request from the commissioner.

(b) **Duration of record retention and circumstances requiring notification.** Records and documents or copies thereof required by the regulations of Connecticut State Agencies shall be retained for a period of three years from the date of course completion. Training providers ceasing to do business, or relocating the principal place of business shall so notify the commissioner in writing within thirty days of such event. The commissioner, on receipt of such notification, may instruct that records required by this section or copies thereof be surrendered to the department. Training providers shall comply with the commissioner's instructions within sixty days.

(c) **Storage of records.**

(1) Training course materials. A training provider shall retain copies of all instructional materials used in the delivery of the classroom training such as student manuals, instructor notebooks and handouts.

(2) Instructor qualifications. A training provider shall retain copies of all instructors' resumes, and the documents issued by the department approving each instructor. Instructors shall have been approved by the department before teaching courses for accreditation purposes. A training provider shall notify the department in advance whenever it changes course instructors. Records shall accurately identify the instructors who taught each particular class for each date that a class was offered.

(3) Examination. A training provider shall document that every individual who receives accreditation for an initial training course has achieved a passing score on the examination. These records shall clearly indicate the date on which the exam was administered, the training course and discipline for which the exam was given, the name of the individual who proctored the exam, a copy of the exam and the name and the test score of each individual taking the exam. The topic and dates of the training course shall correspond with those listed on that individual's certificate.

(4) Documents of accreditation. Training providers shall maintain records that document the names of all individuals who have been accredited, their documents of accreditation numbers, the disciplines for which accreditation was conferred, training and expiration dates, and the training location. The training provider shall maintain the records in a manner that allows verification by telephone of the required information.

(5) Verification of accreditation information. Training providers offering the initial management planner training course shall verify that students have met the

prerequisite of possessing valid inspector accreditation at the time of course admission.

(Effective February 9, 1989; transferred and amended June 4, 1999)

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Licensing and Training Requirements for Persons Engaged in Asbestos Abatement and Consultation Services

Sec. 20-441. Refresher training

(a) Asbestos abatement site supervisors and asbestos abatement workers shall receive refresher training annually. The time period between successful completion of initial training and refresher training or refresher training and subsequent refresher training programs shall not exceed two years. Upon satisfactory completion of such training, the training provider shall issue written documentation of accreditation. Such documentation of accreditation shall lapse one year after the date of issuance. Certification issued by the department will reflect date of refresher training completion and shall lapse one year after the date of issuance.

(b) Refresher training providers shall perform the following as a condition of approved status:

(1) Issue written documentation of accreditation within thirty calendar days to students who complete the refresher training course and pass the course examination. The written documentation shall include a unique certificate number, the name of the accredited person, the discipline of the training course completed, the dates of the training course, the date of the examination, an expiration date or one year after the date upon which the person successfully completed the course and examination, the name, address and telephone number of the training provider that issued the certificate, or statement that the person receiving the certificate has completed the requisite training for asbestos accreditation under TSCA Title II and the name of the State in which the course was given. Written documentation shall state that accreditation shall lapse one year from the date of the examination.

(2) provide the name, address, telephone number, social security number, course title and dates given for each student passing the course examination to the commissioner within thirty calendar days of the conclusion of the course, and retain such information for a period of three years.

(3) notify the commissioner, in writing, of changes in course content, training aids used, facility utilized or other matters which would alter the instruction from that described in the approval application, and minor changes in agenda such as guest speaker (if otherwise qualified) and course schedule.

(4) notify the commissioner, in writing, of courses scheduled at least ten days prior to the starting date for the course.

(5) utilize and distribute, as part of the course, content information or training aids furnished by the department.

(c) **Approval of refresher training providers.**

(1) General

(A) Refresher training courses required for certification and employment as an asbestos abatement site supervisor or an asbestos abatement worker, and for certification and licensure in the various disciplines of consultant, shall be approved by the commissioner in writing.

(B) Persons wishing to provide refresher training courses required for certification and employment as an asbestos abatement site supervisor, asbestos abatement worker, or for certification and licensure as an asbestos consultant, shall meet the minimum qualifications and criteria described in this subsection. The commissioner, upon application, may approve refresher training courses.

(C) Each of the different courses of refresher training that are to be used to fulfill refresher training requirements shall obtain individual approval by the commissioner.

Providers of approved refresher training shall permit up to two representatives of the commissioner to attend each course and to take the written examination without cost to the department.

(D) Courses of refresher training may be approved following the submission of an application to the commissioner on forms provided by the department.

(E) Approval shall be for a period of one year from the date of last approval. Providers shall reapply for course approval at least thirty days, but not more than sixty days prior to the expiration date of the approved course. Re-application for approval shall include all the information required by this section.

(F) Providers located outside the State of Connecticut shall submit all of the information required by this subsection and copies of applicable state or federal approvals, including the name, address, telephone number of the person, department or agency giving such approval.

(2) Application for refresher training course approval. Application for approved refresher training provider status shall be submitted to the commissioner in writing on forms provided by the department. Such applications shall contain the following information:

(A) The name under which the refresher training provider conducts or intends to conduct the refresher training;

(B) name, address and telephone number of the person conducting the course;

(C) the type of course for which approval is requested;

(D) a list of any other states that currently approve the refresher training course;

(E) a course outline showing topics covered, the amount of time given to each topic, the amount of time given to each type of hands-on training and the length of the refresher training day;

(F) a copy of the course manuals for instructors and students, including all printed material to be distributed in the course;

(G) a description of teaching methods to be employed, including description of audio-visual aids to be used;

(H) a description of the hands-on training facility to be utilized, including the protocol of instruction, number of students to be accommodated and the number of instructors;

(I) a description of the equipment that will be used in both classroom lectures and in hands-on training;

(J) a description of the background, training, and experience of the faculty providing the refresher training, including instructors' names and qualifications;

(K) an example of the written examination to be given showing the standard length and format along with required passing score;

(L) a detailed statement about the development of the examination as used in the course;

(M) a list of the tuition required;

(N) a sample copy of the written documentation given to course participants upon successful completion of the course;

(O) an example of the numbered documents of accreditation issued to students who attend the course and pass the examination; and

(P) any additional information or documentation as may be required by the commissioner to evaluate the adequacy of the application.

(3) Suspension and withdrawal of refresher training course approval.

(A) General. The department shall conduct periodic reviews of approved refresher training courses and may revoke approval after a hearing conducted in accordance

with Chapter 54, of the Connecticut General Statutes at any time it determines that the course fails to meet the requirements established by this section or of the Connecticut General Statutes governing the provision of such services.

(B) Criteria. Suspension or withdrawal of refresher training course approval by the department is based on the following criteria:

(i) Misrepresentation of the extent of a refresher training course's approval by another state or EPA;

(ii) failure to submit required information or notifications in a timely manner;

(iii) failure to maintain requisite records;

(iv) falsification of accreditation records, instructor qualifications, or other accreditation information;

(v) failure to adhere to the refresher training standards and requirements of sections 20-440 and 20-441 of the Connecticut General Statutes and corresponding regulations; or

(vi) violation of other asbestos regulations administered by the State of Connecticut.

(C) Curriculum requirements. Refresher training shall be at least one day duration for asbestos abatement site supervisors, asbestos abatement workers, management planners, project designers and project monitors. Refresher training for inspectors shall be at least half a day. The refresher training course for management planners shall be comprised of at least half a day of inspector refresher training and at least half a day of refresher training for management planners. Refresher courses shall be conducted as separate and distinct courses and not combined with any other training during the period of the refresher course. Refresher training shall include review and discussion of changes in and interpretation of applicable state and federal laws, regulations, policies and guidelines, developments or changes in state-of-the art procedures and equipment and a review of key areas of initial training specific to each discipline. In order to renew certification, currently accredited asbestos abatement workers, project designers and project monitors who have received certification in their disciplines by successfully completing the training program for asbestos abatement site supervisors as described in subdivision 20-440-7(c)(2), shall take the refresher training course specifically designed for their disciplines.

(D) Verification of accreditation information. Training providers of refresher courses shall confirm that their students possess valid accreditation before granting course admission.

(E) Examination. Refresher training providers shall determine successful completion of a refresher course by conducting a written examination at the conclusion of the course. A score of seventy percent or higher shall be considered passing.

(F) Refresher course record retention. A refresher training provider shall document that every individual who receives accreditation for a refresher training course has achieved a passing score on the examination. These records shall clearly indicate the date upon which the exam was administered, the training course and discipline for which the exam was given, the name of the individual who proctored the exam, a copy of the exam and the name and the test score of each individual taking the exam. The topic and dates of the training course shall correspond with those listed on that individual's document of accreditation.

(i) Approved refresher training providers. Approved refresher training providers shall establish and maintain records and documents pursuant to the requirements of subsection (a) of Section 20-440-8 of the Regulations of Connecticut State Agencies and shall make such records and documents available to the commissioner and/or

the EPA upon request. Refresher training providers whose principal place of business is outside of the State of Connecticut shall provide hard copy of such records or documents within ten business days of receipt of such a request from the commissioner.

(ii) Duration of record retention and circumstances requiring notification. Records and documents or copies thereof required by this section shall be retained for a period of three years from the date of course completion. Persons ceasing to do business, or relocating the principal place of business shall so notify the commissioner in writing within thirty days of such event. The commissioner, on receipt of such notification, may instruct that the records or copies thereof be surrendered to the department. The person shall comply with the commissioner's instructions within sixty days.

(G) Required storage of records. The following records shall be stored:

(i) Refresher training course materials. A training provider shall retain copies of all instructional materials used in the delivery of the classroom training such as student manuals, instructor notebooks and handouts.

(ii) Instructor qualifications. A refresher training provider shall retain copies of all instructors' resumes, and the documents approving each instructor issued by the State. Instructors shall be approved by the department before teaching courses for accreditation purposes. A refresher training provider shall notify the department in advance whenever it changes course instructors. Records shall accurately identify the instructors that taught each particular course for each date that a course is offered.

(iii) Examination. A refresher training provider shall document each individual who receives accreditation for a refresher training course has achieved a passing score on the examination. These records shall clearly indicate the date upon which the exam was administered, the refresher training course and discipline for which the exam was given, the name of the individual who proctored the exam, a copy of the exam and the name and the test score of each individual taking the exam. The topic and dates of the refresher training course shall correspond with those listed on that individual's certificate.

(iv) Documents of accreditation. The refresher training providers shall maintain records that document the names of all individuals who have been accredited, their documents of accreditation numbers, the disciplines for which accreditation was conferred, refresher training and expiration dates, and the refresher training location. The refresher training provider shall maintain the records in a manner that allows verification by telephone of the required information.

(Adopted effective June 4, 1999)

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Community Association Managers

Sec. 20-461-1. Definitions

The definitions in section 20-450 of the general statutes apply to sections 20-461-1 through 20-461-4 of these regulations.

(Effective November 25, 1991)

Sec. 20-461-2. Applications

Any person seeking a certificate of registration as a community association manager shall apply to the department on a form provided by the department. Such application shall include:

(a) Applicant's name;

(b) Applicant's business status (individual, partnership or corporation);

(c) Applicant's date of birth;

(d) Applicant's social security number or federal tax identification number;

(e) Applicant's residence address;

(f) Applicant's business address and telephone number;

(g) Any trade name used by the applicant;

(h) If the applicant is a corporation:

(1) the names and residence addresses of the corporate officers;

(2) a copy of the certificate of incorporation;

(3) verification that it is a corporation in good standing with the state in which it is incorporated; and

(4) the name and address of the agent for service of process;

(i) the names and addresses of the associations to be managed;

(j) proof of the existence of the bond required for each association by section 20-460 of the general statutes;

(k) a list of other businesses engaged in by the applicant;

(*l*) a list of other professional or occupational licenses and registrations held by the applicant, and any past actions taken against such licenses or registrations;

(m) any past criminal convictions for the offenses listed in section 20-456 of the general statutes or any bankruptcy filings;

(n) any past changes of name; and

(o) the applicant's signature, or the signature of a person legally authorized to act on behalf of the applicant, verified under oath, and the date of the signature.

(Effective November 25, 1991)

Sec. 20-461-3. Notification of change of circumstances

Any registered community association manager shall notify the department of the following within 5 business days of such change:

(a) a change in the number of associations being managed along with the association names and addresses;

(b) any material change in a bond obtained by or covering a community association manager, including the renewal of such bond;

(c) a change of address;

(d) a change of name;

(e) a change in the officers or partners of a corporation or partnership; and

(f) any other material change affecting the relationship between the community association manager and an association.

(Effective November 25, 1991)

Sec. 20-461-4. Contracts and bonds

(a) Each applicant for a community association manager certificate of registration, and each registrant seeking renewal of such a certificate of registration, shall include with the application or renewal application proof of the existence of the bond or bonds required by section 20-460 of the general statutes.

(b) If a registrant sends notification pursuant to section 20-461-3 of these regulations that he or she has contracted with an additional association, or has renewed an existing bond, the registrant shall include with the notice proof of the existence of the required bond.

(c) All contracts concerning the provision of association management services shall comply with all federal or state fair housing statutes or regulations.

(d) Whenever a provision of these regulations requires proof of the existence of a bond, such proof shall consist of the following:

(1) a certificate of insurance from the insurance company verifying the existence and amount of the bond, and listing the association as an obligee; and

(2) a written statement from two officers of the association, one of whom must be the treasurer, listing the estimated highest level of reserve funds over the next twelve months, the amount of the monthly association assessments, and the estimated maximum funds that will be in the custody of the community association manager at any time.

(e) A community association manager shall obtain a bond for each association in an amount sufficient to cover the maximum funds that will be in his or her custody at any time while the bond is in force, but in no event shall the bond amount be less than the total of the estimated highest level of reserve funds over the next twelve months plus three months' assessments, except as provided in section 20-460 (c) of the general statutes.

(f) The bond for each association shall cover every employee, officer, partner, member or agent of the community association manager.

(g) If a contract to provide association management services is terminated for any reason, the community association manager shall turn over, without charge, funds and financial records to the association within five business days of such termination, unless a later date is requested by the association.

(Effective November 25, 1991)

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Standards for Licensure and Certification of Lead Abatement Contractors, Lead Consultants, and Lead Abatement Personnel

Sec. 20-478-1. Definitions

As used in section 20-478-2:

(1) ''Abatement'' means any set of measures designed to eliminate lead hazards in accordance with standards established pursuant to sections 20-474 through 20-482 and subsections (e) and (f) of section 19a-88 of the Connecticut General Statutes and regulations of Connecticut State Agencies sections 19a-111-1 through 19a-111-11 and 20-478-1 and 20-478-2 including, but not limited to, the encapsulation, replacement, removal, enclosure or covering of paint, plaster, soil or other material containing toxic levels of lead and all preparation, clean-up, disposal and reoccupancy clearance testing.

(2) ''Certificate'' means a document issued by the department indicating successful completion of an approved training course.

(3) ''Certified industrial hygienist'' means a person possessing a certificate from the American Board of Industrial Hygiene which indicates that they have specific academic credentials, five years professional experience in industrial hygiene, and have passed an examination given by the American Board of Industrial Hygiene.

(4) ''Certified lead inspector risk assessor'' means any lead consultant who completes an appropriate approved training course and obtains a certificate as a lead inspector risk assessor from the department. A certified lead inspector risk assessor conducts inspections and collects and interprets information to assess the level of risk from lead hazards.

(5) ''Certified lead abatement supervisor'' means any person who completes an appropriate approved training course and obtains a certificate as a lead abatement supervisor from the department. A lead abatement supervisor oversees lead abatement activities.

(6) ''Certified lead abatement worker'' means any person who completes an appropriate approved training course and obtains a certificate as a lead abatement worker from the department. A lead abatement worker performs lead abatement activities.

(7) ''Certified lead inspector'' means any lead consultant who completes an appropriate approved training course and obtains a certificate as a lead inspector from the department. A certified lead inspector conducts inspections to determine the presence of lead in paint, other surface coverings and various environmental media.

(8) ''Certified lead planner-project designer'' means any lead consultant who completes an appropriate approved training course and obtains a certificate as a lead planner-project designer from the department. A certified lead planner-project designer designs lead abatement and management activities.

(9) ''Department'' means the department of public health.

(10) ''Lead consultant'' means any person who performs lead detection, risk assessment, abatement design or related services in disciplines including, but not necessarily limited to, inspector, inspector risk assessor and planner-project designer.

(11) ''License'' means the whole or part of any department permit, approval or similar form of permission required by the general statutes and which further requires: (A) practice of the profession by licensed persons or entities only; (B) that a person or entity demonstrate competence to practice through an examination or other means and meet certain minimum standards; and (C) enforcement of standards by the department.

(12) ''Licensed lead abatement contractor'' means any entity that contracts to perform lead hazard reduction by means of abatement including, but not limited to, the encapsulation, replacement, removal, enclosure or covering of paint, plaster, soil or other material containing toxic levels of lead and obtains a license from the department to conduct such abatement work. The contractor utilizes certified lead abatement supervisors to oversee such lead abatement activities and certified lead abatement workers to perform such abatement activities.

(13) ''Licensed lead consultant contractor'' means any entity that contracts to perform lead hazard reduction consultation work utilizing an inspector, inspector risk assessor and/or planner-project designer and obtains a license from the department to conduct such consultation work.

(14) ''Principally engage in such work as a lead abatement contractor'' means to engage in work as a lead abatement contractor performed pursuant to a written or verbal contract with another where the primary intent or primary scope of such work is lead abatement, provided that if such primary intent or primary scope of any nonincidental portion of such contract is for the purpose of lead abatement, licensure is required only for such portion.

(15) ''Principally engage in such work as a lead consultant contractor'' means to engage in work as a lead consultant contractor performed pursuant to a written or verbal contract with another where the primary intent or primary scope of such work is lead detection, risk assessment, abatement design or related services, provided that if such primary intent or primary scope of any nonincidental portion of such contract is for the purpose of lead detection, risk assessment, abatement design or related services, licensure is required only for such portion.

(Adopted, effective November 29, 1995)

Sec. 20-478-2. Qualifications for licensure and certification

(a) **Licensing of abatement contractors and consultant contractors.** On and after January 1, 1996, no entity shall hold itself out as a lead abatement contractor or lead consultant contractor, or principally engage in such work unless it has been granted a license issued by the department. A property owner is not required to be so licensed in order to abate lead hazards on that owner's property. No license shall be issued under this section to any applicant against whom professional disciplinary action is pending pursuant to Section 20-481 of the Connecticut General Statutes, or whom the department determines to be ineligible pursuant to subsection (a)(6) of Section 19a-14 of the Connecticut General Statutes. Applications for licensure and licensure renewal shall contain the following information regarding the applicant's qualifications:

(1) a statement signed by the applicant attesting that:

(A) all present and future employees who require certification by the department pursuant to Section 20-476 of the Connecticut General Statutes will be so certified;

(B) if applying for a license as an abatement contractor:

(i) records on health monitoring tests as described in subsection (d)(2)(A) of section 19a-111-6 of the regulations of Connecticut State Agencies shall be maintained for two (2) years for supervisors and workers; and,

(ii) the following information shall be retained for a minimum of three (3) years from completion of abatement: the lead abatement plan including any deviations from the plan and the reasons for such changes or verification that no deviations occurred; starting and completion dates of the project; the names, signatures, and certificate numbers of all abatement supervisors; the letter of compliance; copies

of all residual dust level analysis results on samples collected for reoccupancy clearance; and copies of all hazardous waste manifests;

(C) if applying for a license as a consultant contractor all inspection reports, forms and related data will be retained for a minimum of three (3) years from the issuance of such reports;

(D) the applicant understands that the information in this subdivision is subject to disclosure requirements developed pursuant to Section 1018 of the Residential Lead-Based Paint Hazard Reduction Act of 1992;

(E) the contractor will submit copies of the records described in subparagraph B (ii) and paragraph (C) of this subdivision to the department no later than ten (10) working days following receipt of the department's request;

(F) all lead related activities will be conducted in accordance with sections 19a-111-1 through 19a-111-11 of the regulations of Connecticut State Agencies;

(2) a list of technical equipment owned by the applicant; and,

(3) a list of the number of personnel currently employed by job category.

(b) **Certification of consultants, supervisors and workers.** On and after January 1, 1996, no person shall hold himself out as a lead consultant, lead abatement supervisor or lead abatement worker unless that person has been granted a certificate issued by the department. A property owner and a property owner's regular employees are not required to be so certified in order to abate lead hazards on that owner's property. Applications for certification and renewal of certification shall contain information demonstrating that the applicant has successfully completed an appropriate approved training course and possesses experience and education as specified in subsections (c) and (e) of this section. A separate certificate is required for each discipline. No certificate shall be issued under this section to any applicant against whom professional disciplinary action is pending pursuant to Section 20-481 of the Connecticut General Statutes, or whom the department determines to be ineligible pursuant to subsection (a)(6) of Section 19a-14 of the Connecticut General Statutes. Applications for certificate renewal shall include documentation of successful completion of an appropriate approved refresher training course within one (1) year of the certificate renewal date.

(c) **Experience and educational requirements for consultants.** An individual may be certified as a lead consultant in any of the following disciplines: inspector; inspector risk assessor; planner-project designer. An applicant for a consultant certificate shall complete an approved training course and pass the course examination as specified in subsection (d) of Section 20-477 of the Connecticut General Statutes for the appropriate discipline. Alternatively, an applicant for certification as a lead inspector who is a certified industrial hygienist and possesses experience in lead inspection and lead hazard identification shall complete a lead inspector refresher approved training course and pass the course examination as specified in subsection (d) of Section 20-477 of the Connecticut General Statutes. In addition, an applicant for certification as an inspector risk assessor shall: (1) have completed a minimum of twenty-five (25) inspections over at least a three (3) month period as a certified or licensed lead inspector or one (1) year experience in a related field including, but not necessarily limited to, lead, asbestos, radon or other environmental remediation work and;

(2) meet one (1) of the following criteria:

(A) have a baccalaureate degree from an accredited institution of higher education, and at least one (1) year of experience in a related field as defined in subdivision (1) of this subsection; or

(B) be a certified industrial hygienist, or be licensed, registered or certified as an engineer, architect or in a related scientific field or be registered as a sanitarian; or

(C) have a high school diploma or equivalency and at least two (2) years of experience in a related field, as defined in subdivision (1) of this subsection.

(d) **Alternate qualifications for consultants.** Notwithstanding the provisions of subsections (b) and (c) of this section, the department shall, until no later than June 30, 1996, issue a certificate for a lead consultant discipline to persons meeting the following requirements:

(1) An applicant for certification as an inspector or as an inspector risk assessor shall have successfully completed:

(A) a lead inspector training course that had been approved by the department pursuant to section 19a-111-10 of the regulations of Connecticut State Agencies; or

(B) a lead inspector training course that has not been approved by the department and a lead inspector or inspector risk assessor refresher training course that has been approved by the department.

(2) An applicant for certification as a planner-project designer shall have successfully completed:

(A) the design of at least three (3) lead abatement and/or management projects; and

(B) a lead abatement contractor or lead abatement supervisor training course.

(e) **Experience requirements for abatement supervisors.** In addition to the requirements of subsection (b) of this section, an applicant for certification as a lead abatement supervisor shall demonstrate at least one (1) year of experience as a lead abatement worker, or at least two (2) years of experience in the building trades or in a related field, as defined in subdivision (1) of subsection (c) of this section.

(f) **Alternate qualifications for supervisors and workers.** Notwithstanding the provisions of subsections (b) and (e) of this section, the department shall, until no later than June 30, 1996, issue a certificate to persons meeting the following requirements. An applicant for certification as a lead abatement supervisor or as a lead abatement worker shall have successfully completed:

(1) A lead abatement contractor training course that had been approved by the department pursuant to section 19a-111-10 of the regulations of Connecticut State Agencies; or

(2) a lead abatement contractor, lead abatement supervisor, or lead abatement worker training course that has not been approved by the department and a refresher training course in the appropriate discipline that has been approved by the department.

(g) **Certification examinations.** In addition to the certification requirements established in subsections (b), (c) and (e) of this section, within one hundred and eighty (180) days of successful completion of an appropriate approved training course, candidates for certification as lead inspectors, inspector risk assessors or lead abatement supervisors, shall successfully complete a department administered or authorized neutral or third party certification examination in the appropriate discipline when such examinations become available. The applicant may not attempt to successfully complete the examination more than three (3) times during the one hundred and eighty (180) day period. Failure to successfully complete a certification examination within this time period shall result in the candidate being required to retake and successfully complete a training course approved by the department prior to reapplication for certification and retaking the certification examination.

(h) Applicants currently licensed or certified by other authorities. The department shall issue certificates to lead consultant, lead abatement supervisor and lead abatement worker certification applicants who are currently licensed or certified in the appropriate discipline by the U.S. Environmental Protection Agency or by other state or tribal programs authorized by the U.S. Environmental Protection Agency. Such candidates shall be required to successfully complete a department administered or authorized neutral or third party reciprocity examination which is specific to State of Connecticut laws, regulations, policies and work practice requirements when such examinations become available.

(Adopted, effective November 29, 1995)

Sec. 20-478-3. Disciplinary action

The department may take disciplinary action pursuant to Section 20-481 of the Connecticut General Statutes against a person or entity licensed or certified under section 20-478-2 of the regulations of Connecticut State Agencies.

(Adopted, effective November 29, 1995)

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Home Inspectors

Sec. 20-491-1. Definitions

As used in sections 20-491-1 to 20-491-26, inclusive, of the Regulations of Connecticut State Agencies:

(1) ''Alarm systems'' means warning devices, installed or free-standing, including but not limited to: carbon monoxide detectors, flue gas and other spillage detectors, security equipment, ejector pumps and smoke alarms;

(2) ''Architectural service'' means ''the practice of architecture'' or ''practice architecture'' as defined in Section 20-288(3) of the Connecticut General Statutes;

(3) ''Automatic safety controls'' means devices designed and installed to protect systems and components from unsafe conditions;

(4) ''Component'' means a part of a system;

(5) ''Decorative'' means ornamental; not required for the operation of the essential systems and components of a home;

(6) ''Describe'' means to report a system or component by its type or other observed, significant characteristics to distinguish it from other systems or components;

(7) ''Dismantle'' means to take apart or remove any component, device or piece of equipment that would not be taken apart or removed by a homeowner in the course of normal and routine home owner maintenance;

(8) ''Engineering service'' means services offered by a ''professional engineer'' as defined in Section 20-299(1) of the Connecticut General Statutes;

(9) ''Further evaluation'' means examination and analysis by a qualified professional, tradesperson or service technician beyond that provided by the home inspection;

(10) ''Household appliances'' means kitchen, laundry, and similar appliances, whether installed or free-standing;

(11) ''Inspect'' means to examine readily accessible systems and components of a building in accordance with home inspection statutes and sections 20-491-1 to 20-491-26, inclusive, of the Regulations of Connecticut State Agencies, using normal operating controls and opening readily accessible panels;

(12) ''Installed'' means attached such that removal requires tools;

(13) ''Normal operating controls'' means devices such as thermostats, switches or valves intended to be operated by the homeowner;

(14) ''Readily accessible'' means available for visual inspection without requiring moving of personal property, dismantling, destructive measures, or any action which will likely involve risk to persons or property;

(15) ''Readily openable access panel'' means a panel provided for homeowner inspection and maintenance that is within normal reach, can be removed by one person, and is not sealed in place;

(16) ''Recreational facilities'' means spas, saunas, steambaths, swimming pools, exercise, entertainment, athletic, playground or other similar equipment and associated accessories;

(17) ''Report'' means to communicate in writing;

(18) ''Representative number'' means one component per room for multiple similar interior components such as windows and electric outlets; one component on each side of the building for multiple similar exterior components;

(19) ''Roof drainage systems'' means components used to carry water off a roof and away from a building;

(20) ''Significantly deficient'' means unsafe or not functioning;

(21) ''Shut down'' means a state in which a system or component cannot be operated by normal operating controls;

(22) ''Solid fuel burning appliances'' means a hearth and fire chamber or similarily prepared place in which a fire may be built and which is built in conjunction with a chimney; or a listed assembly of a fire chamber, its chimney and related factory-made parts designed for unit assembly without requiring field construction;

(23) ''Structural component'' means a component that supports non-variable forces or weights (dead loads) and variable forces or weights (live loads);

(24) ''System'' means a combination of interacting or independent components, assembled to carry out one or more functions;

(25) ''Technically exhaustive'' means an investigation that involves dismantling, the extensive use of advance techniques, measurements, instruments, testing, calculations or other means;

(26) ''Under-floor crawl space'' means the area within the confines of the foundation and between the ground and the underside of the floor;

(27) ''Unsafe'' means a condition in a readily accessible, installed system or component that is judged to be a significant risk of personal injury during normal, day-to-day use. The risk may be due to damage, deterioration, improper installation or a change in accepted residential construction standards; and

(28) ''Wiring methods'' means identification of electrical conductors or wires of the general type, such as ''non-metallic sheathed cable'' (''Romex''), ''armored cable'' (''bx'') or ''knob and tube.''

(Adopted effective July 30, 2002)

Sec. 20-491-2. Purpose and scope

(a) The purpose of these regulations is to establish a minimum and uniform standard for the home inspector who provides or offers to provide a home inspection.

(b) The inspector shall inspect readily accessible systems and components of homes and installed systems and components of homes.

(c) The inspector shall report on those systems and components inspected which, in the professional opinion of the inspector, are significantly deficient or are near the end of their service lives.

(d) The inspector shall provide a reason why, if not self-evident, the system or component is significantly deficient or near the end of its service life and the inspector shall provide recommendations to correct or monitor the reported deficiency.

(e) The inspector shall report on any systems and components designated for inspection in these regulations which were present at the time of the home inspection, unless a written reason is provided as to why any such systems or components were not inspected.

(f) These regulations are not intended to limit the inspector from including other inspection services, systems or components in addition to those required by these regulations; from specifying repairs, provided the inspector is appropriately qualified and willing to do so; and from excluding systems and components from the inspection if requested by the client.

(Adopted effective July 30, 2002)

Sec. 20-491-3. Structural system

(a) The inspector shall inspect the structural components including foundations and framing.

(b) The inspector shall probe a representative number of structural components where deterioration is suspected or where clear indications of possible deterioration exist. Probing is not required when probing would damage any finished surface or where no deterioration is visible.

(c) The inspector shall describe the foundation and report the methods used to inspect the under-floor crawl space or basement area; the floor structure; the wall structure; the ceiling structure; and the roof structure and report the methods used to inspect the attic.

(d) The inspector is not required to provide any engineering service or provide architectural service.

(Adopted effective July 30, 2002)

Sec. 20-491-4. Exterior

(a) The inspector shall inspect the exterior wall covering, flashing and trim; all exterior doors; attached decks, balconies, stoops, steps, porches, and their associated railings; the eaves, soffits, and fascias where accessible from the ground level; the vegetation, grading, surface drainage, and retaining walls on the property when any of these are likely to adversely affect the building; and walkways, patios, and driveways leading to dwelling entrances.

(b) The inspector shall describe exterior wall covering, finishing and trim.

(c) The inspector is not required to inspect screening, shutters, awnings, and similar seasonal accessories; fences; geological, geotechnical or hydrological conditions; recreational facilities; outbuildings; seawalls, break-walls, and docks; or erosion control and earth stabilization measures.

(Adopted effective July 30, 2002)

Sec. 20-491-5. Roof system

(a) The inspector shall inspect the roof covering; the roof drainage systems; the flashings; the skylights, chimneys, and roof penetrations.

(b) The inspector shall describe the roof covering and report the methods used to inspect the roof.

(c) The inspector is not required to inspect antennae, interiors of flues or chimneys which are not readily accessible or other installed accessories.

(Adopted effective July 30, 2002)

Sec. 20-491-6. Plumbing system

(a) The inspector shall inspect the interior water supply and distribution systems, including all fixtures and faucets; the drain, waste and vent systems, including all fixtures; the water heating equipment; the fuel storage and fuel distribution systems; and the drainage sumps, sump pumps, and related piping.

(b) The inspector shall describe the water supply, drain, waste, and vent piping materials; if the water supply to the building is from an on-site well pump system, then the inspector shall describe the visible components of that system, the water heating equipment including the energy source; and the location of main water and main fuel shut-off valves.

(c) The inspector is not required to inspect the clothes washing machine connections; wells, well pumps, or water storage related equipment; water conditioning systems; solar water heating systems; fire and lawn sprinkler systems; or private waste disposal systems.

(d) The inspector is not required to determine whether water supply and waste disposal systems are public or private or the quantity or quality of the water supply,

well yields, well pump longevity, or the internal condition of water storage equipment.

(e) The inspector is not required to operate safety valves or shut-off valves.

(Adopted effective July 30, 2002; amended March 7, 2008)

Sec. 20-491-7. Electrical system

(a) The inspector shall inspect the service drop; the service entrance conductors, cables, and raceways; the service equipment and main disconnects; the service grounding; the interior components of service panels and sub panels; the conductors; the overcurrent protection devices; a representative number of installed lighting fixtures, switches, and receptacles; and the ground fault circuit interrupters.

(b) The inspector shall describe the amperage and voltage rating of the service; the location of main disconnect or disconnects and sub panels; and the wiring methods.

(c) The inspector shall report on the presence of solid aluminum branch circuit wiring.

(d) The inspector shall report on the absence of smoke detectors.

(e) The inspector is not required to inspect the remote control devices unless the device is the only control device, the alarm systems and components, the low voltage wiring systems and components, or the ancillary wiring systems and components not a part of the primary electrical power distribution system.

(f) The inspector is not required to measure amperage, voltage, or impedance.

(Adopted effective July 30, 2002)

Sec. 20-491-8. Heating system

(a) The inspector shall inspect the installed heating equipment and the vent systems, flues and chimneys.

(b) The inspector shall describe the energy source and the heating method by its distinguishing characteristics.

(c) The inspector is not required to inspect the interiors of flues or chimneys which are not readily accessible, the heat exchanger, the humidifier, dehumidifier, the electronic air filter, or the solar space heating system.

(d) The inspector is not required to determine heat supply adequacy or distribution balance.

(Adopted effective July 30, 2002)

Sec. 20-491-9. Air conditioning systems

(a) The inspector shall inspect the installed central and through-wall cooling equipment.

(b) The inspector shall describe the energy source and the cooling method by its distinguishing characteristics.

(c) The inspector is not required to inspect electronic air filters or determine cooling supply adequacy or distribution balance.

(Adopted effective July 30, 2002)

Sec. 20-491-10. Interior

(a) The inspector shall inspect the walls, ceilings, and floors; the steps, stairways, and railings; the countertops and a representative number of installed cabinets; a representative number of doors and windows; and garage doors and garage door operators.

(b) The inspector is not required to inspect the paint, wallpaper, and other finish treatments; the carpeting; the window treatments; the central vacuum systems; the household appliances; or recreational facilities.

(Adopted effective July 30, 2002)

Sec. 20-491-11. Insulation and ventilation

(a) The inspector shall inspect the insulation and vapor retarders in unfinished spaces; the ventilation of attics and foundation areas; and the mechanical ventilation systems.

(b) The inspector shall describe the insulation and vapor retarders in unfinished spaces and the absence of insulation in unfinished spaces at conditioned surfaces.

(c) The inspector is not required to disturb insulation or vapor retarders or determine indoor air quality.

(Adopted effective July 30, 2002)

Sec. 20-491-12. Fireplaces and solid fuel burning appliances

(a) The inspector shall inspect the system components and the vent systems, flues, and chimneys.

(b) The inspector shall describe the fireplaces, solid fuel burning appliances and the chimneys.

(c) The inspector is not required to inspect the interiors of flues or chimneys, the firescreens and doors, the seals and gaskets, the automatic fuel feed devices, the mantles and fireplace surrounds, the combustion make-up air devices, or the heat distribution assists, whether gravity controlled or fan assisted.

(d) The inspector is not required to ignite or extinguish fires, determine draft characteristics, or move fireplace inserts or stoves or firebox contents.

(Adopted effective July 30, 2002)

Sec. 20-491-13. General limitations and exclusions

(a) Inspections performed in accordance with these regulations are not technically exhaustive. The inspector is not required to identify concealed conditions or latent defects.

(b) These regulations shall be applicable to buildings with four or fewer dwelling units and their attached garages or carports.

(c) The inspector is not required to perform any action or make any determination unless specifically stated in these regulations, except as may be required by lawful authority.

(d) The inspector is not required to determine the following:

(1) the condition of systems or components which are not readily accessible;

(2) the remaining life of any system or component;

(3) the strength, adequacy, effectiveness, or efficiency of any system or component;

(4) the causes of any condition or deficiency;

(5) the methods, materials, or costs of corrections;

(6) future conditions, including, but not limited to, failure of systems or components;

(7) the suitability of the property for any specialized use;

(8) compliance with regulatory requirements (codes, regulations, laws or ordinances);

(9) the market value of the property or its marketability;

(10) the advisability of the purchase of the property;

(11) the presence of potentially hazardous plants or animals, including, but not limited to, wood destroying organisms or diseases harmful to humans;

(12) the presence of any environmental hazards, including, but not limited to, toxins, carcinogens, noise, and contaminants in soil, water, and air, with the exception of radon, asbestos, lead paint, or lead solder;

(13) the effectiveness of any system installed or methods utilized to control or remove suspected hazardous substances;

(14) the operating costs of systems or components; or

(15) the acoustical properties of any system or component.

(e) Any services not required under Sections 20-491-1 to 20-491-14 of the Regulations of Connecticut State Agencies may be offered by the home inspector as an optional service or provided at the request of the client.

(f) The inspector is not required to offer or perform any act or service contrary to law, or perform engineering services, or perform work in any other trade or any professional service other than home inspection, or offer any warranties or guarantees of any kind.

(g) The inspector is not required to operate any system or component which is shut down or otherwise inoperable, any system or component which does not respond to normal operating controls, or shut-off valves.

(h) The inspector is not required to enter any area which will, in the opinion of the inspector, likely be dangerous to the inspector or other persons or damage the property or its systems or components; or the under-floor crawl spaces or attics which are not readily accessible.

(i) The inspector is not required to inspect underground items including, but not limited to, underground storage tanks or other underground indications of their presence, whether abandoned or active; systems or components which are not installed; decorative items; systems or components located in areas that are not entered in accordance with these regulations; detached structures other than garages and carports; or common elements or common areas in multi-unit housing, such as condominium properties or cooperative housing.

(j) The inspector is not required to perform any procedure or operation which will, in the opinion of the inspector, likely be dangerous to the inspector or other persons or damage the property or its systems or components; move suspended ceiling tiles, personal property, furniture, equipment, plants, soil, snow, ice, or debris; or dismantle any system or component, except as explicitly required by these regulations.

(Adopted effective July 30, 2002)

Sec. 20-491-14. Code of ethics

(a) Opinions expressed by the inspector shall only be based on the inspector's education, experience and honest convictions.

(b) The inspector shall always act in good faith toward each client.

(c) The inspector shall not disclose any information concerning the results of the inspection without the approval of the client or such client's representative unless the inspector finds that public health, safety or welfare imperatively requires emergency action.

(d) The inspector shall not accept compensation, financial or otherwise, from more than one interested party for the same service without the consent of all interested parties.

(e) The inspector shall not accept or offer commissions or allowances, directly or indirectly, from other parties dealing with such inspector's client in connection with work for which the inspector is responsible.

(f) Prior to being retained, the inspector shall promptly disclose to his or her client any interest or conflict of interest which may affect the client.

(g) The inspector shall not allow an interest in any business to affect the quality or the results of the work which the inspector may be called upon to perform.

(h) The inspection work shall not be used as a vehicle for the inspector to deliberately obtain work in another field.

(i) The inspector shall make every effort to uphold, maintain, and improve the professional integrity, reputation, and practice of the home inspection profession.

(j) The inspector shall not engage in false or misleading advertising or otherwise misrepresent any matters to the public.

(k) No inspector shall express, within the context of an inspection, an appraisal or opinion of the market value of the inspected property.

(*l*) The inspector shall not discriminate against anyone on the basis of age, creed, color, sex, sexual orientation, physical or mental handicap, or national origin.

(Adopted effective July 30, 2002)

Sec. 20-491-15. Schools, institutions or organizations

(a) Each school, institution or organization, desirous of offering approved home inspection courses shall submit a formal filing for each course seeking approval with the Home Inspection Licensing Board.

(b) Each school, institution or organization seeking approval of its home inspection courses shall offer to the general public at least one course required to meet the minimum qualifications. These shall include, but not be limited to, the following: A home inspection principles and practices course consisting of not less than forty classroom hours of study.

(Adopted effective July 30, 2002)

Sec. 20-491-16. Course filing requirements

(a) The filing for each course shall include, but not be limited to, the following: (1) A copy of the detailed course outline; (2) a copy of the instructor lecture guidelines; (3) copy of the text and related teaching materials; (4) copy of the final examination; (5) copy of any quizzes; (6) grading system; (7) a copy of affidavits and certificates to be issued by the school, institution or organization upon completion of the course other than that prescribed by the Home Inspection Licensing Board; (8) copy of all proposed advertising and publicity; (9) seminars and indoctrination attended by instructors; (10) locations of all classrooms; and (11) names and addresses of all instructors to be used; and (12) the dollar amount of tuition and other related costs.

(b) No course of less than one (1) hour will be approved.

(c) Correspondence courses may be permitted for continuing education credit.

(d) Each school, institution or organization shall submit an updated course filing containing any changes from the previous offering within each two year period from original approval date.

(Adopted effective July 30, 2002)

Sec. 20-491-17. Intern training program

The board-approved training program, known as the Home Inspection Intern Training Program, shall consist of a minimum of forty hours of instruction and shall include, but not be limited to, the following subject matter: (1) General home inspection; (2) Connecticut home inspection license law and regulations; (3) specialized areas of home inspection practice; and (4) business law.

(Adopted effective July 30, 2002)

Sec. 20-491-18. Advertising guidelines

(1) All advertising and written or oral statements shall avoid the use of exaggerated or unprovable claims and misrepresentations. In discussing the student's possible

or potential economic future in the field of home inspection, no misleading or deceptive claims shall be made.

(2) In any advertising, no school, institution or organization shall use the wording ''Approved by the Home Inspection Licensing Board,'' or other like wording. The following wording may be used: ''This course meets the minimum requirements as set forth by the Home Inspection Licensing Board.''

(Adopted effective July 30, 2002)

Sec. 20-491-19. Affidavit or certificate requirements for pre-licensing courses

No affidavit or certificate of successful completion of an approved pre-licensing course of study in home inspection shall be issued to any student unless said student shall have first attended a minimum of forty hours of instruction and shall have achieved a passing numerical grade of at least seventy per cent on a final examination. Each school, institution or organization shall issue an affidavit to the student in such form as may be adopted by the school, institution or organization attesting to the required minimum attendance, dates of attendance and final numerical grade for the course. Said affidavit shall be signed by an authorized official of the school, institution or organization.

(Adopted effective July 30, 2002)

Sec. 20-491-20. Course and location approval by the Home Inspection Licensing Board

(a) Each school, institution or organization conducting an approved course shall, at least ten days prior to the first scheduled session of each course, submit to the Home Inspection Licensing Board a schedule of the dates, hours, locations, tuition fees, advertising and instructors for each course to be offered. No courses shall commence, or be advertised as approved, nor shall an instructor be used in the classroom, without prior written approval of the Home Inspection Licensing Board. There shall be no change or alteration in any approved course or instructional staff without prior written notice and approval of the Home Inspection Licensing Board. Course approval may be withdrawn for failure to comply with the provisions of sections 20-491-15 through 20-491-26 of the Regulations of Connecticut State Agencies.

(b) Each school, institution or organization shall submit to the Home Inspection Licensing Board for prior approval a listing identifying all locations where courses are offered. Each course of study shall be conducted in a classroom or other facility which is adequate to implement the offering. Approved courses shall not be held on the premises of a home inspection office or home inspection franchise. No classroom location shall be approved by the Home Inspection Licensing Board until it has been approved by the local fire marshal for such use.

(Adopted effective July 30, 2002)

Sec. 20-491-21. Records

(a) Each school, institution or organization conducting approved courses shall keep and retain complete records of student attendance, grades or evidence of completion for a period of at least three years after the completion of each course. Such records shall be available for inspection or audit by representatives of the Home Inspection Licensing Board or the department. Upon satisfactory completion of any approved course, the school, institution or organization shall furnish a certificate or affidavit, as applicable, to the student, as prescribed by the Home Inspection Licensing Board.

(b) The burden of proof of completion of each course shall be upon the licensee. Documentation of such courses shall be submitted in such manner and at such times as prescribed by the Home Inspection Licensing Board.
(Adopted effective July 30, 2002)

Sec. 20-491-22. Home Inspection Licensing Board and department audits

The Home Inspection Licensing Board or the department may, without prior notice, visit the school and observe the instruction given to insure proper standards as to method of delivery and instruction and to confirm content of any approved courses.
(Adopted effective July 30, 2002)

Sec. 20-491-23. Course content

(a) The contents of pre-licensing courses or continuing education programs shall consist of current home inspection licensing laws and practices that are broad-based and essential to the role of a home inspection general practitioner as he or she acts in the best interests of the consumer. The contents shall directly relate to home inspection principles and practices as described in sections 20-491-1 to 20-491-14, inclusive, of the Regulations of Connecticut State Agencies and to any overview text on home inspection principles and practices or to new developments in the fields for which licensees have a demonstrated need.

(b) The home inspector shall take courses consisting of at least twenty continuing education hours in each two year continuing education period. For each two year continuing education period, the following course shall be mandated: One course consisting of at least three classroom hours in current home inspection legislation, licensing laws and regulations.

(c) The Home Inspection Licensing Board shall not approve offerings in mechanical office and business skills such as typing, speed-reading, memory development, personal motivation, salesmanship, sales psychology, sales promotions or other meetings held in conjunction with the general business of a home inspector. Generally acceptable courses may include, but shall not be limited to:

1) Laws and regulations pertaining to the home inspection licensing profession;
2) structural systems;
3) foundations;
4) interior walls, doors, ceilings and floors;
5) exterior walls and doors, windows and door glazing;
6) fireplace and chimney;
7) roof, roof structure and attic;
8) porches and decks;
9) mechanical systems (heating, cooling and solar work);
10) inspection guidelines for appliances;
11) inspection guidelines for cooling systems other than evaporative coolers;
12) inspection guidelines for evaporative coolers;
13) inspection guidelines for heating systems;
14) inspection guidelines for ducts, vents (including dryer vents) and flues;
15) plumbing systems (drain, waste, vent, water and gas);
16) inspection guidelines for plumbing systems;
17) electrical systems (for heat, light, power and other purposes);
18) telecommunications, data, low voltage systems;
19) service entrance and panels;
20) branch circuits, connected devices and fixtures;
21) home inspection documents, forms, contracts and warrantees;

22) water supply (drilled wells/community water supplies);
23) fire protection sprinkler systems;
24) rodents, pests and insects; and
25) environmental contaminants, such as radon, asbestos, lead paint, or lead solder, and other related courses which may be acceptable to the Home Inspection Licensing Board.

(d) Courses completed prior to certification by the Home Inspection Licensing Board may not qualify for continuing education hours.

(e) Continuing education hour credits shall not be approved more than once for completing the same course within each two year continuing education period.

(Adopted effective July 30, 2002)

Sec. 20-491-24. Hardship

(a) Upon appropriate showing of a bona fide health or other individual hardship, the Home Inspection Licensing Board may grant an exception to the continuing education requirements.

(b) Loss of income resulting from cancellation of a license is not a bona fide hardship.

(c) Requests for exceptions shall be submitted in writing not less than sixty days prior to the date of license renewal and shall include an explanation and verification of the hardship.

(d) Exceptions may include, but are not be limited to: (1) Individuals serving in military service; and (2) individuals who are physically handicapped, which handicap prohibits them from sitting for an exam or attending courses.

(Adopted effective July 30, 2002)

Sec. 20-491-25. Hearings on refusal of school or course approval

(a) Upon the refusal of the Home Inspection Licensing Board to approve a school, institution or organization for the offering of continuing education courses or a particular course, or upon the decision of the Home Inspection Licensing Board to withdraw such approval, the Home Inspection Licensing Board shall notify the applicant of the refusal and of such applicant's right to request a hearing within thirty days from the date of receipt of the notice of refusal.

(b) In the event the applicant requests a hearing within such thirty days, the Home Inspection Licensing Board shall give notice of the grounds for its refusal and shall conduct a hearing concerning such refusal in accordance with the provisions of Chapter 54 of the Connecticut General Statutes concerning contested matters.

(Adopted effective July 30, 2002)

Sec. 20-491-26. Applications

The applications for licensure, school approval and pre-licensing courses shall be made on forms prescribed and furnished by the Department of Consumer Protection.

(Adopted effective July 30, 2002)

Home Inspector Interns

Sec. 20-491-27. Home inspector intern requirements

(a) No more than two home inspector interns may be under the direct or indirect supervision of a licensed home inspector at any one site.

(b) All home inspector interns shall maintain a record in the form of a home inspection log prior to beginning and until completion of their service contract with each supervising home inspector.

(c) A copy of the home inspection log maintained by the intern shall also be kept by the supervising home inspector and shall, at a minimum, include the following information for each inspection: (1) Client name; (2) address of the property inspected; (3) description of the areas inspected; (4) indication of whether the supervision was either direct or indirect in nature; (5) date of the inspection; and (6) supervisor's initials and license number.

(Adopted effective February 1, 2006)

Sec. 20-491-28. Supervision of home inspector interns

(a) While performing inspection work, all home inspector interns shall be subject to supervision by a home inspector licensed pursuant to section 20-492a of the Connecticut General Statutes.

(b) The supervising licensed home inspector shall be responsible for the direct supervision of at least ten of the intern's home inspections.

(c) ''Direct supervision'' means the supervising licensed home inspector must be physically present and witness the home inspector intern conducting the home inspection in accordance with subsection (c) of section 20-493b of the Connecticut General Statutes.

(d) No more than one home inspector intern may be present during the direct supervision requirement period at any one site.

(e) Only one intern may receive credit towards the one hundred inspections requirement for any home inspection conducted at any one site.

(f) The supervising licensed home inspector shall:

(1) Accept legal responsibility for all home inspection work performed by such intern, including all resulting written inspection reports, inspection review reports, consulting reports and work product by signing and certifying that each report has been reviewed and is in compliance with sections 20-491-1 to 20-491-28 of the Regulations of Connecticut State Agencies;

(2) Review all aspects of the home inspector intern's inspection reports, inspection review reports, consulting reports, or work product;

(3) Inspect each residential property with the home inspector intern until completion of the ten home inspections required to be directly supervised have been completed in accordance with the competency provision of sections 20-491-1 to 20-491-28 of the Regulations of Connecticut State Agencies;

(4) Sign the home inspection log at the completion of each inspection performed by the home inspection intern;

(5) Maintain a separate copy of each home inspection log completed by each home inspector intern;

(6) Provide, upon request, the home inspector intern with copies of the inspection reports that the home inspector intern prepared;

(7) Sign a notification to the Board of the supervision of the home inspector intern. By signing the notification of supervision, the licensed home inspector agrees to assume the responsibilities and duties of a supervising home inspector as provided in chapter 400f of the Connecticut General Statutes and sections 20-491-1 to 20-491-28, inclusive, of the Regulations of Connecticut State Agencies; and

(8) Cooperate with the department regarding matters related to all regulated activities.

(Adopted effective February 1, 2006)

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Real Estate Appraisers

Sec. 20-504-1. Definitions

For the purposes of sections 20-504-1 to 20-504-12, inclusive, of the Regulations of Connecticut State Agencies, the terms defined in section 20-500 of the Connecticut General Statutes will apply, and the following terms shall have the meanings indicated:

(1) ''Appraisal'' or ''real estate appraisal'' means the act or process of developing an opinion of value, or an opinion of value;

(2) ''Appraisal experience'' means appraisal related experience obtained by performing fee and staff appraisals, ad valorem tax appraisals, condemnation appraisals, appraisal reviews, appraisal analyses, real estate consulting, highest and best use analyses, feasibility analyses or studies, and by teaching appraisal courses;

(3) ''Appraisal practice'' means the work or services performed by appraisers, defined by three terms: appraisal, appraisal review and real estate consulting;

(4) ''Appraisal review'' means the act or process of developing and communicating an opinion about the quality of another appraiser's work;

(5) ''Appraisal Standards Board'' means the Appraisal Standards Board of The Appraisal Foundation, located in Washington, D.C.;

(6) ''Appraiser'' means a real estate appraiser;

(7) ''Appraiser Qualifications Board'' or ''AQB'' means the Appraiser Qualifications Board of The Appraisal Foundation, located in Washington, D.C.;

(8) ''Classroom hour'' means 50 minutes out of each sixty minute segment;

(9) ''Course'' means a course, seminar or other educational program of study;

(10) ''Complex residential property'' means residential property where the property itself, the form of ownership, or the market conditions are atypical;

(11) ''Federal financial institutions regulatory agency'' or ''FIRREA'' means the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, the Office of Thrift Supervision, or the National Credit Union Administration, any successor agency, or any combination of such agencies;

(12) ''Federally related transaction'' means any real estate related financial transaction which

(A) a federal financial institutions regulatory agency engages in, contracts for, or regulates; and

(B) requires the services of an appraiser pursuant to FIRREA;

(13) ''Real estate consulting'' means providing information, analysis of data, and recommendations or conclusions on diversified problems in real estate, other than an opinion of value. Consulting includes but is not limited to: land utilization studies; highest and best use analyses; real estate marketability, feasibility or investment studies; and other such research related real estate studies or services;

(14) ''Real estate related financial transaction'' means a transaction involving

(A) the sale, lease, purchase, investment in or exchange of real property, including interests in property, or the financing thereof;

(B) the refinancing of real property or interests in real property; and

(C) the use of real property or interests in real property as security for a loan or investment, including mortgage-backed securities;

(15) ''Residential real estate'' or ''one to four unit residential property'' means property improved with one to four unit residential structures, and vacant or unimproved land where the highest and best use is for one to four unit residential purposes.

This does not include land where a development analysis or appraisal, or both, such as a subdivision development analysis or condominium development analysis, is necessary or utilized;

(16) ''Transaction value'' with regard to federally related transactions means

(A) for loans or other extensions of credit, the amount of the loan or extension of credit;

(B) for sales, leases, purchases, and investments in or exchanges of real property, the market value of the real property interest involved; and

(C) for the pooling of loans or interests in real property for resale or purchase, the amount of the loan or the market value of the real property calculated with respect to each such loan or interest in real property; and

(17) ''USPAP'' means the Uniform Standards of Professional Appraisal Practice, adopted by the Appraisal Standards Board of The Appraisal Foundation, located in Washington, D.C.

(Effective May 18, 1994; amended October 15, 1999, February 2, 2001, December 7, 2004, May 31, 2007)

Sec. 20-504-2. Standards for the performance of appraisals, content of appraisals and conduct of appraisers

Every appraiser shall, in performing the acts and services of a real estate appraiser, real estate review appraiser or real estate consultant, conform to the following minimum standards:

(1) The Uniform Standards of Professional Appraisal Practice (USPAP) adopted by the Appraisal Standards Board of The Appraisal Foundation in effect at the time the services are performed. A copy of the Uniform Standards of Professional Appraisal Practice (USPAP) book is available for inspection at the office of the Real Estate Appraisal Commission, Room 110, State Office Building, 165 Capitol Avenue, Hartford, Connecticut, during regular business hours. Alternatively, copies may be obtained from The Appraisal Foundation located in Washington, D.C. or from The Appraisal Foundation's website at www.appraisalfoundation.org.

(2) An appraiser who wishes to enter in or upon any premises or real estate not the subject of appraisal for the purpose of estimating comparable real estate shall obtain permission to enter from the owner or occupier of the premises or real estate, and shall identify himself as an appraiser; and

(3) Each appraisal, appraisal review or consulting report shall include for each appraiser signing such report: the appraiser's name either printed or typed, the category of licensure held, and license number, the state of issuance and the expiration date of the license.

(Effective May 18, 1994; amended October 15, 1999, February 2, 2001, December 7, 2004)

Sec. 20-504-3. Licensure or certification categories and scope of practice

(a) The following categories of appraiser licensure or certification are established:

(1) State certified general appraiser;

(2) State certified residential appraiser; and

(3) State provisional appraiser.

(b) No person shall act as a state certified general appraiser, state certified residential appraiser, or as a state provisional appraiser unless the person meets the requirements for that category of licensure or certification as established in chapter 400g of the Connecticut General Statutes and sections 20-504-1 to 20-504-12, inclusive, of the Regulations of Connecticut State Agencies.

(c) No certified or provisional appraiser shall perform appraisal work that is beyond the scope of practice for such appraiser's category of licensure or certification except as provided under subsection (d) of this section. The scope of practice for each category is as follows:

(1) The state certified general appraiser scope of appraisal practice includes the appraisal of all types of real estate, without regard to transaction value, for all types of transactions including federally related transactions.

(2) The state certified residential appraiser scope of appraisal practice includes the appraisal of all residential real estate, without regard to transaction value, for all types of transactions including federally related transactions.

(3) The state provisional appraiser scope of appraisal practice includes the appraisal of real estate while under the direct supervision of a certified appraiser for the types of property and in the types of transactions the supervising appraiser is permitted to appraise. The purpose for this category is to provide an entry level that will allow appraisers to develop the appraisal experience needed to qualify for a category of certified appraiser.

(d) When two or more appraisers work together, each taking responsibility for the appraisal services provided, including the signing of any resulting appraisal, appraisal review or appraisal consulting reports, the scope of appraisal practice includes all types of real estate and transactions available under the collective categories of licensure or certification held.

(e) Any person licensed under Chapter 392 of the Connecticut General Statutes as a real estate broker or a real estate salesman may estimate the value of real estate as part of a market analysis performed for the purpose of a prospective listing or sale of such real estate or any other purpose permitted under section 20-526 of the Connecticut General Statutes, without being a certified or provisional licensed appraiser, provided the estimate shall not be referred to or construed as an appraisal. Any real estate broker or salesman charging a fee or other valuable consideration, separate from any fees or sales commissions or potential sales commissions to be earned in connection with the listing or sale of real estate, for providing an estimate of value of such real estate, except as permitted under section 20-526 of the Connecticut General Statutes, shall be construed as engaging in the real estate appraisal business.

(Effective December 23, 1994; amended October 15, 1999, February 2, 2001, December 7, 2004, January 5, 2011)

Sec. 20-504-4. Provisional appraisers

(a) No person shall be a state provisional appraiser for less than two (2) years or more than a total of six (6) years except that under circumstances of bona fide personal or physical hardship or other good cause, the commission may allow additional time on a case by case basis. Such six (6) year total shall not include any period for which the proposed appraiser has given the commission earliest reasonable written notice of complete suspension of appraisal activity in Connecticut.

(b) While performing appraisal work, all state provisional appraisers shall be subject to direct supervision by a supervising appraiser who shall be a certified appraiser. The supervising appraiser shall be responsible for the direct supervision of the provisional appraiser by:

(1) Accepting responsibility for the appraisal work performed. The supervising appraiser shall indicate the acceptance of responsibility in any resulting written appraisal reports, appraisal review reports or appraisal consulting reports by signing and certifying the report is in compliance with the current Uniform Standards of Professional Appraisal Practice (USPAP);

(2) Reviewing the provisional appraiser's appraisal reports, appraisal review reports, appraisal consulting reports or work product; and

(3) Personally inspecting each appraised property with the provisional appraiser until a reasonable appraiser would judge the provisional appraiser to be competent in accordance with the competency provision of the Uniform Standards of Professional Appraisal Practice (USPAP) for the property type.

(c) A provisional appraiser may have more than one supervising appraiser.

(d) Each provisional appraiser and supervising appraiser shall file with the commission a notification prior to beginning and at the termination of their employment by each supervising appraiser.

(e) For verification of experience credit, an appraisal log shall be maintained by the provisional appraiser and supervising appraiser and shall, at a minimum, include the following for each appraisal:

(1) Type of property;

(2) Date of report;

(3) Type of report (self-contained, summary, restricted use, other);

(4) Address of appraised property;

(5) Description of work performed by the trainee/applicant and scope of the review and supervision of the supervising appraiser;

(6) Number of actual work hours performed by the trainee or applicant on the assignment; and

(7) The signature and state certification number of the supervising appraiser.

(f) The supervising appraiser and the provisional appraiser shall review and each sign the appraisal log on a quarterly basis, in accordance with a log format provided by the commission.

(g) Separate appraisal logs shall be maintained for each supervising appraiser.

(h) The provisional appraiser shall be entitled to obtain copies of appraisals such provisional appraiser prepared, or to which such provisional appraiser made a significant professional contribution, from supervising appraisers when such copies are necessary to document appraisal experience for licensure, certification or regulatory compliance purposes. The supervising appraiser shall not, however, be required to maintain copies beyond the record keeping requirements of the current Uniform Standards of Professional Appraisal Practice (USPAP).

(i) The supervising appraiser, by signing the notification to the commission of the sponsorship of the provisional appraiser, agrees to assume the responsibilities and duties of a supervising appraiser as provided in this section and in chapter 400g of the Connecticut General Statutes and the Uniform Standards of Professional Appraisal Practice (USPAP), and shall cooperate with the commission regarding matters related to the provisional appraiser.

(j) A supervising appraiser shall have no more than three (3) provisional appraisers at any one time unless the supervisor has first obtained a waiver of this subsection from the commission. Any waiver of this subsection shall:

(1) Be for a specific maximum number of provisional appraisers;

(2) State the minimum number of supervising appraisers that will be maintained in order to retain the waiver;

(3) Lapse at the end of the licensure or certification period during which the waiver is granted or upon a failure to maintain the approved minimum number of supervising appraisers, whichever occurs first; and

(4) Require a new waiver whenever provisional appraisers' licenses are renewed.

(Effective May 18, 1994; amended October 15, 1999, February 2, 2001, December 7, 2004, May 31, 2007, January 5, 2011)

Sec. 20-504-5. Application for licensure or certification

(a) **State certified general appraiser.** Each applicant for a general certification shall prove to the satisfaction of the commission that the applicant has met the following examination, education, and experience requirements:

(1) Successful completion of the required examination;

(2) As a prerequisite to sit for the examination, successful completion of courses approved by the commission totaling at least three hundred (300) classroom hours of study in accordance with the Required Core Curriculum. The Required Core Curriculum topic areas and required number of hours are:

(A) Basic Appraisal Principles (30 hours);

(B) Basic Appraisal Procedures (30 hours);

(C) The 15 hour National USPAP Course or its equivalent (15 hours);

(D) General Appraisal Market Analysis and Highest and Best Use (30 hours);

(E) Statistics, Modeling and Finance (15 hours);

(F) General Appraiser Sales Comparison Approach (30 hours);

(G) General Appraiser Site Valuation and Cost Approach (30 hours);

(H) General Appraiser Income Approach (60 hours);

(I) General Appraiser Report Writing and Case Studies (30 hours); and

(J) Appraisal Subject Matter Electives (30 hours).

(3) Applicants completing the required three hundred (300) classroom hours of study shall be able to demonstrate that their education involved coverage of all topics listed below, with particular emphasis on the appraisal of non-residential properties:

(A) Influences on real estate value;

(B) Legal consideration in appraisal;

(C) Types of value;

(D) Economic principles;

(E) Real estate markets and analysis;

(F) Valuation process;

(G) Property description;

(H) Highest and best use analysis;

(I) Appraisal math and statistics;

(J) Sales comparison approach;

(K) Site value;

(L) Cost approach;

(M) Income approach:

(i) estimation of income and expenses;

(ii) operating statement ratios;

(iii) direct capitalization;

(iv) cash flow estimates;

(v) measures of cash flow; and

(vi) discounted cash flow analysis;

(N) Valuation of partial interests;

(O) Narrative report writing; and

(P) Successful completion of the 15-hour Uniform Standards of Professional Appraisal Practice (USPAP) course within the six (6) year period preceding the date of the application. Said course shall consist of at least fifteen (15) classroom hours, including a cumulative examination, and shall be taught by an AQB certified USPAP instructor who is a state certified residential or state certified general appraiser. The hours of instruction completed as part of the USPAP course shall

be applied as a credit toward the total number of hours listed as a prerequisite to sit for the examination in subsection (a)(2) of this section.

(4) As a prerequisite to obtain certification, either three thousand (3,000) hours of appraisal experience, as defined in subparagraphs (A) and (B) of this subdivision, or equivalent experience as determined by the commission.

(A) Three thousand (3,000) hours of appraisal experience obtained during no fewer than thirty (30) months is required. Experience documentation in the form of an appraisal log shall be submitted to support the experience claimed.

If requested, reports or file memoranda shall be made available to support the experience claimed. Hours may be treated as cumulative in order to achieve the necessary 3,000 hours of appraisal experience.

(B) For credit, the applicant shall have accumulated a total of three thousand (3,000) hours of appraisal experience of which at least one thousand five hundred (1,500) hours shall be in non-residential appraisal work.

(5) As a prerequisite to obtain certification, on or after January 1, 2008, the applicant shall have obtained the minimum educational requirement of a bachelor's degree from an accredited college, university, or institute of higher education. In lieu of the bachelor's degree, the applicant shall have successfully completed thirty (30) semester hours or its equivalent in the following collegiate level subject matter courses from an accredited college, university, or institute of higher education:

Each course shall be a minimum of three (3) semester credit hours:

(A) English Composition;

(B) Macro Economics;

(C) Micro Economics;

(D) Finance;

(E) Algebra, Geometry or higher level mathematics;

(F) Statistics;

(G) Computers (Introductory level course), including word processing and spreadsheets;

(H) Business Law or Real Estate Law; and

(I) Two (2) elective courses in any of the following subject matters: Accounting, Geography, Ag-Economics, Business Management, or Real Estate.

(b) **State certified residential appraiser.** Each applicant for a residential certification shall prove to the satisfaction of the commission that the applicant has met the following examination, education, and experience requirements:

(1) Successful completion of the required examination;

(2) As a prerequisite to sit for the examination prior to January 1, 2008, either successful completion of courses approved by the commission totaling at least one hundred and twenty (120) hours of study or proof of education deemed by the commission to be equivalent to such classroom courses. As a prerequisite to sit for the examination on or after January 1, 2008, successful completion of courses approved by the commission totaling at least two hundred (200) classroom hours of study in accordance with the Required Core Curriculum. The Required Core Curriculum topic areas and required number of hours are:

(A) Basic Appraisal Principles (30 hours)

(B) Basic Appraisal Procedures (30 hours)

(C) The 15 hour USPAP Course or its equivalent (15 hours)

(D) Residential Market Analysis and Highest and Best Use (15 hours)

(E) Residential Appraiser Site Valuation and Cost Approach (15 hours)

(F) Residential Sales Comparison and Income Approaches (30 hours)

(G) Residential Report Writing and Case Studies (15 hours)
(H) Statistics, Modeling and Finance (15 hours)
(I) Advanced Residential Applications and Case Studies (15 hours)
(J) Appraisal Subject Matter Electives (20 hours).

(3) Applicants completing the required two hundred (200) classroom hours of study shall be able to demonstrate that their education involved coverage of all topics listed below, with particular emphasis on the appraisal of residential properties:
(A) Influences on real estate value;
(B) Legal consideration in appraisal;
(C) Types of value;
(D) Economic principles;
(E) Real estate markets and analysis;
(F) Valuation process;
(G) Property description;
(H) Highest and best use analysis;
(I) Appraisal math and statistics;
(J) Sales comparison approach;
(K) Site value;
(L) Cost approach;
(M) Income approach:
(i) gross rent multiplier analysis;
(ii) estimation of income and expenses;
(iii) operating expense ratios; and
(iv) direct capitalization;
(N) Valuation of partial interests;
(O) Narrative report writing; and
(P) Successful completion of the 15-hour Uniform Standards of Professional Appraisal Practice (USPAP) course within the six (6) year period preceding the date of the application. Said course shall consist of at least fifteen (15) classroom hours, including a cumulative examination, and shall be taught by an AQB certified USPAP instructor who is a state certified residential or state certified general appraiser. The hours of instruction completed as part of the USPAP course shall be applied as a credit toward the total number of hours listed as a prerequisite to sit for the examination in subsection (b)(2) of this section; and

(4) As a prerequisite to obtain certification, two thousand five hundred (2,500) hours of appraisal experience, obtained during no fewer than twenty-four (24) months is required. Experience documentation in the form of an appraisal log shall be submitted to support the experience claimed. If requested, reports or file memoranda shall be available to support the experience claimed. Hours may be treated as cumulative in order to achieve the necessary two thousand five hundred (2,500) hours of appraisal experience.

(5) As a prerequisite to obtain certification, the applicant shall have obtained the minimum educational requirement of a associate's degree from an accredited college, university, or institute of higher education. In lieu of the associate's degree, the applicant shall have successfully completed twenty one (21) semester hours or its equivalent in the following collegiate level subject matter courses from an accredited college, university, or institute of higher education:
Each course shall be a minimum of three (3) semester credit hours:
(A) English Composition;
(B) Principals of Economics, either Macro Economics or Micro Economics;

(C) Finance;

(D) Algebra, Geometry or higher level mathematics;

(E) Statistics;

(F) Computers (Introductory level course), including word processing and spreadsheets; and

(G) Business Law or Real Estate Law.

(c) **State provisional appraiser.** Each applicant for a provisional license shall, before being granted such provisional license, prove to the satisfaction of the commission that the applicant has met the following education requirements:

(1) Successful completion of courses approved by the commission totaling at least seventy-five (75) classroom hours of study, including:

(A) A minimum of thirty (30) classroom hours in real estate appraisal principles;

(B) Thirty (30) hours of Basic Appraisal Procedures; and

(C) Successful completion of the 15-hour Uniform Standards of Professional Appraisal Practice (USPAP) course within the six (6) year period preceding the date of the application. Said course shall consist of at least fifteen (15) classroom hours, including a cumulative examination, and shall be taught by an AQB certified USPAP instructor who is a state certified residential or state certified general appraiser.

(d) **Documentation of experience and education.** Applicants for licensure or certification shall comply with the following when documenting experience and training:

(1) Allowable appraisal experience shall be the applicant's own work, which may include experience obtained while completing entire appraisals, technical review appraisals or consulting assignments. Appraisal experience may also be allowed for experience the applicant obtained while providing significant professional assistance, as determined by the commission, to a certified appraiser in the preparation of real estate appraisals, technical review appraisals or consulting assignments, where the applicant is not the primary appraiser. Allowable appraisal experience shall not include appraisals performed as a classroom exercise;

(2) Experience documentation for applicants in the form of logs, reports, and file memoranda shall be available to support the experience claimed. If requested by the commission, applicants will provide the commission with such additional documentation as is needed to prove to the satisfaction of the commission that the experience requirement has been met; and

(3) Education documentation shall be provided with the application in the form of original affidavits or original certificates provided for commission approved courses or other documentation acceptable to the commission. Documentation will also be provided for other courses or teaching experience claimed. If requested by the commission, applicants will provide the commission with such additional documentation as is needed to prove to the satisfaction of the commission that the education requirement has been met.

(Effective December 23, 1994; amended October 15, 1999, December 7, 2004, May 31, 2007, January 5, 2011)

Sec. 20-504-6. Examination

(a) In order to determine the competency of any applicant for certification, each applicant is required to successfully complete a written examination as to the applicant's competency to act as an appraiser in the category for which the applicant is applying.

(b) Such examination shall be:

(1) Prepared by the Department of Consumer Protection or by a national testing service designated by the Commissioner of Consumer Protection;

(2) Administered to applicants by the Department of Consumer Protection or by such testing service at such times and places as said commissioner may deem necessary; and

(3) Consistent with guidelines established by the Appraiser Qualifications Board of The Appraisal Foundation.

(c) A passing score of at least seventy-five (75) per cent of the maximum possible score on the examination shall be attained by an applicant in order to pass the personal written examination for the appraiser's certification given by the Department of Consumer Protection or national testing service. Successful completion of said examination is valid for a period not to exceed twenty four (24) months from the date of said examination.

(Effective May 18, 1994; amended December 7, 2004, May 31, 2007, January 5, 2011)

Sec. 20-504-7. Licensure or certification renewal

(a) Persons certified or provisionally licensed in accordance with chapter 400g of the Connecticut General Statutes shall fulfill a continuing education requirement and such other requirements that may be specified in this section. Applicants seeking annual renewal of a license or certification shall, in addition to the other requirements imposed by section 20-517 of the Connecticut General Statutes, submit proof of compliance with the requirements of this section to the commission.

(b) The continuing education requirement shall be satisfied by:

(1) Successful completion by certified or provisional appraisers of twenty-eight (28) classroom hours in courses approved by the commission, during the two (2) year period preceding such renewal except that provisional appraisers shall have no continuing education requirement at the first renewal of their provisional license. The classroom education shall include, one (1) course consisting of at least three (3) classroom hours in current real estate appraisal legislation, laws and regulations, professional standards, and real estate equal opportunity laws and regulations; and

(2) Successful completion of the seven (7) hour USPAP update course beginning with the May 1, 2004 two-year continuing education cycle and taught by an AQE certified USPAP instructor.

(c) Equivalent continuing education may be granted for:

(1) Any course approved by the commission as a prerequisite course. This includes prerequisite education previously used to qualify as a certified appraiser, or provisional appraiser, if successfully completed within the two (2) year period prior to renewal. Any approved prerequisite course used for continuing education credit by a certified or provisional appraiser will also continue to be eligible for consideration toward prerequisite education requirements such appraiser may need in the future to qualify for a different category of certified appraiser;

(2) Any other real estate appraisal related educational courses taken by an appraiser and judged acceptable by the commission. Such courses shall be considered by the commission on an individual basis. Evidence of such courses shall be submitted at least ninety (90) days prior to the end of each two (2) year continuing education period. Submissions made after the ninety (90) day period will not be considered, except at the discretion of the commission; or

(3) Participation, other than as a student, in appraisal education processes and programs. Examples of activities for which credit may be granted are teaching, program development, authorship of textbooks, or similar activities which are determined by the commission to be equivalent to obtaining continuing education. Evi-

dence of such activities shall be submitted no later than ninety (90) days prior to the end of each two (2) year continuing education period. Submissions made after the ninety (90) day period will not be considered, except at the discretion of the commission. No more than fifty percent (50%) or fourteen hours (14) of continuing education may be obtained pursuant to this subdivision.

(d) Courses or activities considered for continuing education, or equivalent continuing education credit, shall not be accepted by the commission if the course or activity is for less than two (2) hours.

(e) Continuing education hours, or equivalent continuing education hours, shall not be approved more than once within each two (2) year continuing education period for completing or instructing the same course, or participating in the same activity. For purposes of this section, each annual edition of the seven (7) hour USPAP update course shall be considered a separate course.

(Effective May 18, 1994; amended October 15, 1999, February 2, 2001, December 7, 2004, May 31, 2007, January 5, 2011)

Sec. 20-504-8.

Repealed, February 2, 2001.

Sec. 20-504-9. Temporary practice; licensure or certification in another state

(a) **Temporary practice**

(1) An appraiser who is certified, state licensed, or provisionally licensed by the appraiser licensing agency or certifying agency in another state may register to receive temporary certification or temporary provisional licensure in this state by paying the appropriate fee and filing with the board a registration form approved by and obtained from the commission. The commission shall provide written notification of acceptance of the registration to the appraiser via mail, facsimile, electronic mail or other appropriate means not later than five days after receipt of the fee and a properly completed registration form.

(2) The temporary certification or temporary provisional license, as the case may be, shall be effective for six months from issuance and will apply to one appraisal assignment which will be specified in the application. The commission may grant one extension upon request of the appraiser if the appraiser is unable to complete the appraisal assignment within six months. One appraisal assignment means one or more real estate appraisals which have been contracted for in a single contract. Temporary certification and temporary provisional licensure are available to appraisers from all states unless a state's appraiser certifications or licenses are not recognized under FIRREA.

(b) **Licensure or certification from states with reciprocity**

(1) Currently practicing, competent real estate appraisers from a state that has a formal reciprocity agreement with the commission, may make application, along with the appropriate fees, to the commission for an equivalent certification or provisional license in Connecticut.

(2) Upon verification of the appraiser's valid certification or license by the issuing authority of the reciprocal state, a Connecticut certification may be issued without examination or further documentation of education or experience.

(3) Upon verification of the appraiser's valid provisional license equivalent, by the issuing authority of the reciprocal state, a Connecticut provisional license may be issued if such appraiser proves to the satisfaction of the commission that the appraiser has qualifications similar to those required for a Connecticut provisional

appraiser. Such provisional appraisers shall work under the direct supervision of an appraiser holding a valid Connecticut certification or temporary certification.

(c) **Licensure or certification from states without reciprocity**

(1) Currently practicing, competent real estate appraisers from a state that does not have a formal reciprocity agreement with the commission, may make application, along with the appropriate fees, to the commission for an equivalent certification or provisional license in Connecticut.

(2) Such out-of-state appraiser applicants may qualify for a Connecticut certification if the applicant proves to the satisfaction of the commission that the applicant has met the appropriate examination, education and experience requirements, or the equivalent.

(3) Upon verification of the appraiser's valid certification or license by the issuing authority, the examination requirement may be waived if the applicant proves to the satisfaction of the commission that the applicant has successfully passed an examination, appropriate for the category of licensure or certification applied for, that is consistent with the guidelines established by the Appraisal Qualifications Board of The Appraisal Foundation. Such waivers may be made by the commission to appraisers from all states unless a state's appraiser certifications are not recognized under FIRREA.

(4) Upon verification of the appraiser's valid provisional license equivalent, by the issuing authority of the issuing state, a Connecticut provisional license may be issued if such appraiser proves to the satisfaction of the commission that the appraiser has qualifications similar to those required for a Connecticut provisional appraiser. Such provisional appraisers shall work under the direct supervision of an appraiser holding a valid Connecticut certification or temporary certification.

(d) **Credit for continuing education approved by another state**

Currently practicing, competent real estate appraisers in another state applying for renewal, or provisional licensing in the state of Connecticut shall satisfy the provisions of chapter 400g of the Connecticut General Statutes and sections 20-504-1 to 20-504-12, inclusive, of the Regulations of Connecticut State Agencies, except that such appraisers may submit continuing education courses or seminars that have been approved by the issuing authority for consideration by the commission as equivalent continuing education, provided that the total number of classroom hours submitted shall be consistent with the continuing education requirements. Appraisers are also required to complete the three (3) hour mandatory appraisal law course.

(e) **Real estate appraisal reviewers certified in another state**

(1) Real estate appraisal reviewers certified in another state and operating outside the state of Connecticut who are performing appraisal reviews regarding real estate located in Connecticut are not required to hold a Connecticut certification or temporary certification if such appraisal review does not entail field work within the state of Connecticut.

(2) Real estate appraisers licensed or certified in another state and performing appraisal reviews that do involve field work within the state of Connecticut are required to hold a valid Connecticut certification or provisional license that is appropriate for the work performed.

(Effective December 23, 1994; amended October 15, 1999, February 2, 2001, December 7, 2004, January 5, 2011)

Sec. 20-504-10. National registry

The commission shall require an annual registry fee for all certified appraisers in an amount established by the Appraisal Subcommittee of the Federal Financial

Institutions Examination Council pursuant to Title XI of FIRREA. The Commissioner of Consumer Protection shall compile and transmit a roster of such appraisers, along with the registry fees paid, to the appropriate federal regulatory entity.

(Effective May 18, 1994; amended December 7, 2004, May 31, 2007, January 5, 2011)

Sec. 20-504-11. Duty to cooperate

A certified or provisional appraiser or applicant shall cooperate with department staff if such appraiser or applicant is contacted in connection with an inquiry or investigation performed by the Department of Consumer Protection concerning possible violations of real estate appraiser statutes or regulations. A certified or provisional appraiser or applicant shall not make any untruthful or misleading statements in connection with any Department of Consumer Protection or commission inquiry, investigation or hearing.

(Effective May 18, 1994; amended February 2, 2001, December 7, 2004, January 5, 2011)

Sec. 20-504-12. Discipline

(a) The Department of Consumer Protection may, upon the request of the commission or upon the verified complaint in writing of any person, as provided in chapter 400g of the Connecticut General Statutes, investigate the actions of any appraiser or any person who assumes to act in the capacity of an appraiser within this state.

(b) The commission shall give notice and afford opportunity for hearing, in accordance with the provisions of chapter 54 of the Connecticut General Statutes and Regulations of Connecticut State Agencies established by the Commissioner of Consumer Protection, before imposing any penalties for violations of any provision of chapter 400g of the Connecticut General Statutes or any applicable regulations.

(c) The commission may suspend or revoke any category of certification or licensure issued under the provisions of chapter 400g of the Connecticut General Statutes, and, in addition to or in lieu of such action, may impose a fine of not more than one thousand dollars as provided in chapter 400g of the Connecticut General Statutes.

(d) Any person aggrieved by any decision or order of the commission may appeal in accordance with the provisions of section 4-183 of the Connecticut General Statutes.

(Effective May 18, 1994; amended October 15, 1999, December 7, 2004)

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Real Estate Appraisers

Sec. 20-512-1. Definitions

All terms defined in section 20-500 of the Connecticut General Statutes and in section 20-504-1 of the Regulations of Connecticut State Agencies shall have the same meaning for purposes of sections 20-512-1 to 20-512-11, inclusive, of the Regulations of Connecticut State Agencies.

(Effective December 23, 1994; amended October 15, 1999, December 7, 2004)

Sec. 20-512-2. School approval and requirements

(a) Each college, university, community college, junior college, real estate appraisal organization, real estate organization, state agency, federal agency, proprietary school or other provider of education shall obtain approval as a real estate appraisal school from the commission before offering approved courses in real estate appraisal prerequisite education or continuing education. School approval shall be obtained from the commission before any courses will be considered for approval for the purpose of becoming a state certified general appraiser, state certified residential appraiser or state provisional appraiser in the state of Connecticut, or for the purpose of renewing or maintaining any such license or certification. Application for such school approval shall be made on forms prescribed by the Commissioner of Consumer Protection, and located on the Department of Consumer Protection website, www.ct.gov/DCP. Course and school approvals shall be reviewed on a periodic basis at the discretion of the commission.

(b) All approved schools shall:

(1) Be responsible for keeping course material current and accurate;

(2) Permit the commission, without prior notice, to visit the school and observe the instruction given to insure proper standards as to method and content of any approved courses;

(3) Conduct each course of study in a classroom or other facility which is adequate to implement the offering. No course shall be conducted in a classroom location that is not approved by the local fire marshal for such use. Courses shall not be held on the premises of a real estate appraisal office, real estate brokerage office or real estate franchise; and

(4) Abide by the regulations established under the authority of section 20- 512 of the Connecticut General Statutes, including sections 20-512-1 to 20-512-11, inclusive, of the Regulations of Connecticut State Agencies.

(c) School approval or course approval may be withdrawn by the commission for failure by a school or its representatives to comply with the provisions of sections 20-512-1 to 20-512-11, inclusive, of the Regulations of Connecticut State Agencies.

(d) All approved schools or applicant schools shall cooperate with department staff if such school is contacted in connection with an inquiry or investigation performed by the Department of Consumer Protection concerning possible violations of real estate appraiser statutes or regulations. No representative of such school shall make any untruthful or misleading statements in connection with any Department of Consumer Protection or commission inquiry, investigation or hearing.

(Effective May 18, 1994; amended October 15, 1999, December 7, 2004, January 5, 2011)

Sec. 20-512-3. Prerequisite course approval

(a) All prerequisite courses, prior to submission to the commission, shall have received a Course Approval Program (CAP) certification by the Appraisal Qualifica-

tions Board. No courses shall commence, or be advertised as approved, without prior written approval of the commission.

(b) A separate application for commission approval shall be required for each course in real estate appraisal prerequisite education.

(c) The application for each prerequisite course shall include, but not be limited to, the following:

(1) A detailed course outline or course syllabus;

(2) A copy of the text or related teaching materials;

(3) A copy of the affidavits or certificates to be issued by the school to each student upon successful completion of the course;

(4) A copy of all proposed advertising;

(5) The names, addresses, and qualifications of all instructors to be used;

(6) The tuition, other related costs, cancellation and refund policy;

(7) A copy of all tests, quizzes and exams with answer key;

(8) A description of the grading system to be used, and the policy regarding attendance; and

(9) On or after January 1, 2008, a certificate of approval for the course from the Course Approval Program (or ''CAP'') of the AQB.

(d) Applications for prerequisite courses which have been reviewed and approved by the Connecticut Real Estate Commission or the AQB may be accepted with proof of such approval in lieu of any or all of the items included in subdivisions (2) through (8) of subsection (c) of this section as deemed appropriate by the commission.

(e) Each school shall issue an affidavit or certificate to each student successfully completing an approved prerequisite course, in such form as may be adopted by the school, attesting to the student having met the required minimum attendance and achieved a minimum passing grade of at least seventy five (75) percent, the course start and finish dates, and the number of classroom hours for which the course has been approved. Said affidavit is to be signed by an authorized official of the school.

(f) Each prerequisite course approval shall be effective for a three (3) year period from the date of approval. The commission may grant approval for additional three (3) year periods upon the submission of an acceptable updated course filing containing any changes from the previous offering. USPAP course approvals shall be effective for a period of one year from the date of approval, and the commission may grant approval for the additional one (1) year periods upon the submission of an acceptable updated course filing containing any changes from the previous offering.

(Effective May 18, 1994; amended October 15, 1999, February 2, 2001, May 31, 2007, January 5, 2011)

Sec. 20-512-4. Prerequisite course content

(a) Various courses may be credited toward the classroom hour requirement for licensure or certification. The contents of such prerequisite course programs shall provide meaningful education in real estate appraisal, standards of professional practice, real estate appraisal law, general real estate and related topics that are broad-based and essential to the role of a real estate appraiser as the appraiser acts in the best interests of the consumer.

(b) Prerequisite course content shall include, but not be limited to, the fundamentals expected to be obtained from such a course.

(c) For prerequisite courses, no course of less than fifteen (15) classroom hours, including examination, shall be approved. All prerequisite courses shall be CAP approved and require successful completion of an examination that is pertinent to that educational offering as a condition to granting prerequisite course credit.

(d) There shall be no change or alteration in any approved prerequisite course without prior written notice and approval of the commission.

(e) A distance education course as referred to in the Interpretations of the Appraiser Qualification Criteria of the AQB shall meet the classroom hour requirement specified in subsection (c) of this section or its equivalent, provided that the course is approved by the commission and that it meets at least one of the qualification criteria established by the AQB. Copies of the Interpretations of the Appraiser Qualification Criteria of the AQB are available for inspection at the office of the Real Estate Appraisal Commission, Room 110, State Office Building, 165 Capitol Avenue, Hartford, Connecticut, during regular business hours. Alternatively, copies may be obtained from The Appraisal Foundation located in Washington, D.C. or from The Appraisal Foundation's website at www.appraisalfoundation.org.

(f) Open book exams are not acceptable in prerequisite courses.

(g) At least one of the course instructors of the 15 hour USPAP Course or its equivalent must be an AQB Certified USPAP Instructor who is also a state certified appraiser.

(Effective May 18, 1994; amended October 15, 1999, December 7, 2004, May 31, 2007, January 5, 2011)

Sec. 20-512-5. Continuing education course approval

(a) Approval of continuing education courses for the purpose of renewing or maintaining an appraiser license or certification in the state of Connecticut shall be obtained from the commission before a course is conducted. No courses shall commence, or be advertised as approved, without prior written approval of the commission.

(b) A separate application for commission approval shall be required for each course in real estate appraisal continuing education.

(c) The application for each continuing education course shall include, but not be limited to, the following:

(1) A detailed course outline;

(2) A copy of the inside cover of the text and related teaching materials;

(3) A copy of the affidavits or certificates to be issued by the school upon completion of the course;

(4) A copy of all proposed advertising, internet advertising, and publicity;

(5) The tuition, other related costs and the cancellation and refund policy;

(6) A description of the policy regarding minimum attendance; and

(7) Location of the classroom.

(d) Applications for continuing education courses which have been reviewed and approved by the Connecticut Real Estate Commission or the Appraisal Qualifications Board may be accepted with proof of such approval in lieu of any or all of the items included in subdivisions (2) through (7) of subsection (c) of this section as deemed appropriate by the commission.

(e) Each school shall issue an affidavit to the student completing an approved continuing education course, in such form as may be adopted by the school, attesting to the required minimum attendance, the course start and finish dates, and the number of classroom hours for which the course has been approved. Said affidavit is to be signed by an authorized official of the school.

(f) Each continuing education course approval shall be effective for a three (3) year period from the date of approval. The commission may grant approval for

additional three (3) year periods upon the submission of an acceptable updated course filing containing any changes from the previous offering.

(Effective May 18, 1994; amended January 5, 2011)

Sec. 20-512-6. Continuing education course content

(a) The contents of continuing education programs shall consist of current real estate appraisal practices, real estate practices, laws and standards of professional practice that are broad-based and essential to the role of a real estate appraiser as the appraiser acts in the best interests of the consumer. These contents shall directly relate to real estate appraisal principles and practices such as described in Connecticut's real estate appraisal statutes and regulations and any overview text on real estate appraisal principles and practices, or to new developments in the field for which licensed or certified appraisers have a demonstrated need.

(b) Generally acceptable continuing education courses may include, but shall not be limited to:

(1) Ad valorem taxation;
(2) Arbitration;
(3) Business courses related to real estate appraisal;
(4) Construction estimating;
(5) Ethics and standards of professional practice;
(6) Land use planning, zoning and taxation;
(7) Property development;
(8) Real estate appraisal (valuation or evaluation, or both);
(9) Real estate appraisal laws and regulations;
(10) Real estate appraisal related computer applications;
(11) Real estate financing and investment;
(12) Real estate law;
(13) Real estate litigation;
(14) Real estate management, leasing, brokerage or time-sharing;
(15) Real estate securities and syndication;
(16) Real estate taxes and liens;
(17) Real estate principles and practices; and
(18) Real property exchange.

(c) The commission shall not approve offerings in mechanical office and business skills such as typing, speed-reading, memory development, personal motivation, salesmanship, sales psychology, sales promotions, and shall not approve general business meetings.

(d) For continuing education courses, no course of less than two (2) classroom hours shall be approved. There is no examination requirement for continuing education courses.

(e) There shall be no change or alteration in any approved continuing education course without prior written notice and approval of the commission.

(f) A distance education course as referred to in the Interpretations of the Appraiser Qualification Criteria of the AQB shall meet the classroom hour requirement specified in subsection (d) of this section or its equivalent, provided that the course is approved by the commission and that it meets at least one of the qualification criteria established by the AQB. Copies of the Appraiser Qualification Criteria and the Interpretations of the Appraiser Qualification Criteria of the AQB are available for inspection at the office of the Real Estate Appraisal Commission, Room 110, State Office Building, 165 Capitol Avenue, Hartford, Connecticut, during regular business hours. Alternatively, copies may be obtained from The Appraisal Foundation located

in Washington, D.C. or from The Appraisal Foundation's website at www.appraisalfoundation.org.

(g) The purpose of continuing education is to ensure that the appraiser participates in a program that maintains and increases his or her skill, knowledge and competency in real estate appraising.

(h) At least one of the course instructors of the 7 or 15 hour USPAP course must be an AQB Certified USPAP Instructor who is also a state certified appraiser.

(Effective May 18, 1994; amended October 15, 1999, December 7, 2004, May 31, 2007, January 5, 2011)

Sec. 20-512-7.

Repealed, October 15, 1999.

Sec. 20-512-8. Notification of course offerings and locations

(a) Each school conducting an approved prerequisite or continuing education course shall, at least ten (10) days prior to the first scheduled session of each course, submit to the commission a schedule of the dates, hours, locations, tuition fees and instructors for each course to be offered.

(b) The name, address and qualifications for each instructor not previously submitted to the commission shall be included with the course notification.

(c) A local fire marshal certificate for each classroom location shall be included with the course notification, if not already on file with the commission.

(d) If the course is not held in a public building or place of public assembly, the facility must be adequate to hold such an offering and have been approved by the local fire marshal for such purpose.

(Effective May 18, 1994; amended December 7, 2004, January 5, 2011)

Sec. 20-512-9. Advertising

All schools advertising courses shall comply with the following requirements:

(1) All advertising materials shall be submitted to the commission prior to publication;

(2) All advertising and notices shall not be deceptive or misleading and shall reveal significant facts, the concealment of which would mislead the public;

(3) Advertisers and their agents shall substantiate claims made in an advertisement upon request of the commission;

(4) No advertising or written or oral statements shall use misleading or unprovable claims. In discussing the students' possible or potential economic future in the field of real estate appraisal, no misleading claims may be made;

(5) No unfounded guarantee shall be offered. All notices shall clearly and conspicuously disclose the full nature of services offered;

(6) False or misleading claims as to tuition and other course costs are prohibited;

(7) Material containing testimonials shall be clearly limited to those individuals reflecting their own personal experiences;

(8) In any advertising all schools are to refrain from using the wording ''Approved by the Department of Consumer Protection and Real Estate Appraisal Commission'' or other like wording. The following wording may be used: ''This course meets the minimum requirements as set forth by the Department of Consumer Protection and Real Estate Appraisal Commission''; and

(9) The size of the type setting forth the wording in subdivision (8) of this section shall be no larger than the smallest type used on the advertisement.

(Effective May 18, 1994)

Sec. 20-512-10. Records

(a) All schools, institutions or organizations conducting approved courses shall:

(1) Furnish to the student, within thirty (30) days of satisfactory completion of any approved course, a certificate, as approved by the commission; and

(2) Keep and retain complete records of student attendance and evidence of completion for a period of at least six (6) years after the completion of each course. Such records shall be available for inspection by the commission.

(b) The burden of proof of completion of each course shall be upon the licensee. Documentation of such courses shall be submitted in such manner and at such times as prescribed by the commission.

(Effective May 18, 1994)

Sec. 20-512-11. Hearings on denial of school or course approval

(a) Upon the refusal of the commission to approve a school or a particular course, or upon the decision of the commission to withdraw such approval the commission shall notify the applicant of such denial or withdrawal and of the applicant's right to request a hearing within ten (10) days from the date of receipt of the notice of denial or withdrawal.

(b) In the event the applicant requests a hearing within such ten (10) days, the commission shall give notice of the grounds for the denial or withdrawal and shall conduct a hearing in accordance with the provisions of chapter 54 of the Connecticut General Statutes concerning contested matters.

(Effective May 18, 1994; amended December 7, 2004)

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The Practice of Pharmacy

Sec. 20-576-1. Definitions

For the purpose of sections 20-576-1 through 20-576-53 of the Regulations of Connecticut State Agencies, the following terms shall have the meanings indicated:

(a) ''Commission'' means the Commission of Pharmacy;

(b) ''Department'' means the Department of Consumer Protection;

(c) ''Legend drug'' has the meaning given to this term by Section 20-571 of the General Statutes;

(d) ''Prescribing practitioner'' has the meaning given to this term by Section 20-571 of the General Statutes; and

(e) ''Prescription department'' means that area within a pharmacy where drugs are compounded and dispensed pursuant to the order of a prescribing practitioner.

(Adopted effective January 11, 1999)

Sec. 20-576-2. Applications

(a) All applications for licenses or permits shall be made on forms furnished by the department. All such forms shall be signed by the applicant thereby indicating that all information contained in the application is true and accurate.

(b) Proper proof of all requirements for applications for admission to examinations and for applications for licenses and permits shall be provided to the department with each such application.

(c) Applications for licenses for which an examination is required shall be submitted to the department at least forty-five days prior to the date on which the examination is to be taken unless this is deemed by the commission to be unnecessary based upon the manner in which the exam is to be administered.

(d) Applications for new pharmacy licenses and applications for the relocation of a pharmacy shall be made at least fifteen days prior to the next scheduled meeting of the commission.

(Adopted effective January 11, 1999)

Sec. 20-576-3. Applications for pharmacist license

(a) An applicant for a license to practice pharmacy other than by reciprocity shall be required to take a two part examination consisting of the following:

(1) Part I. The North American Pharmacist Licensure Exam or such other examination as may be required by the commission and approved by the Commissioner of Consumer Protection; and

(2) Part II. Pharmaceutical jurisprudence.

(b) The applicant must achieve a grade of not less than 75 in each designated part.

(Adopted effective January 11, 1999; amended August 1, 2007)

Sec. 20-576-4. Eligibility for examination

(a) An applicant who is a graduate of a school or college of pharmacy accredited by the American Council on Pharmaceutical Education and approved by the commission, and who has had at least fifteen hundred hours of the practical experience required of a pharmacy intern shall be eligible to take the required examination, except as provided in section 20-576-6 of the Regulations of Connecticut State Agencies.

(b) An applicant who is a graduate of a foreign college or school of pharmacy shall be eligible to take the required examination if the following requirements are met:

(1) Documentation of date and place of birth;

(2) Proof of having passed the paper-based, computer-based or internet-based Test of English as a Foreign Language with the minimum score approved by the National Association of Boards of Pharmacy;

(3) Proof of having passed the Test of Spoken English with a minimum score of fifty-five (55) if the applicant has taken either the paper-based or the computer-based Test of English as a Foreign Language;

(4) Proof of United States citizenship or a visa permitting employment in the United States;

(5) Proof of at least fifteen hundred hours of the practical experience required of a pharmacy intern as provided by section 20-576-8 of the Regulations of Connecticut State Agencies;

(6) Proof of passage of the Foreign Pharmacy Graduate Equivalency Examination; and

(7) Appearance before the commission for a personal interview prior to the commencement of the practical experience required of a pharmacy intern in subsection (b)(5) of this section, at which time such training requirement as well as the other criteria established in this subsection will be reviewed.

(Adopted effective January 11, 1999; amended November 30, 2006)

Sec. 20-576-5. Examination conduct

Any candidate committing a fraudulent or deceitful act related to the taking of the examination shall be prohibited from further examination for a minimum period of one year.

(Adopted effective January 11, 1999)

Sec. 20-576-6. Exception to intern requirements

If a candidate for the examination for licensure to practice pharmacy as a pharmacist in Connecticut as prescribed by section 20-590 of the General Statutes and section 20-576-3 of the Regulations of Connecticut State Agencies has not fulfilled the law as required by section 20-598 of the General Statutes, the candidate, upon completion of the examination, shall immediately register and fulfill the requirements of said section 20-598, or, submit to the commission evidence of the completion of a program as described in section 20-576-8(b) of the Regulations of Connecticut State Agencies.

(Adopted effective January 11, 1999)

Sec. 20-576-7. Reciprocity

A pharmacist who is licensed as such in any other state of the United States, the District of Columbia, the Commonwealth of Puerto Rico or any territory or insular possession subject to the jurisdiction of the United States, may be licensed to practice as such in this state provided:

(1) the qualifications necessary to secure such license in the state or jurisdiction in which the pharmacist is licensed were, at the time of first securing such license, at least equal to those required in this state at that time;

(2) the pharmacist is a graduate with a professional undergraduate degree from those schools of pharmacy that are accredited by the American Council on Pharmaceutical Education, or is a graduate with a professional undergraduate degree from

a foreign college or school of pharmacy and has complied with the requirements of section 20-576-4(b) of the Regulations of Connecticut State Agencies;

(3) the pharmacist is a resident of the state of Connecticut at the time of making application to be licensed as a pharmacist or has indicated an intention to practice pharmacy within the state of Connecticut;

(4) the pharmacist has practiced the profession of pharmacy for at least one year in any other state or jurisdiction within the last five years at the time of application or has been licensed by examination in another state or jurisdiction within the previous twelve months. In lieu of the practice requirement, the commission may accept, in its discretion, equivalent experience as determined by the commission;

(5) the pharmacy board or commission in the state or jurisdiction from which the pharmacist is reciprocating grants similar reciprocal privileges to pharmacists licensed in this state;

(6) the pharmacist passes that portion of the commission's licensure examination relating to pharmacy law; and

(7) the pharmacist appears before the commission for a personal interview in which the criteria established in this section will be reviewed.

(Adopted effective January 11, 1999; amended August 10, 2000)

Sec. 20-576-8. Registration of pharmacy interns

(a) As used in this section: ''pharmacy intern'' has the meaning given to this term by Section 20-571 of the General Statutes; ''intern training pharmacy'' means a Connecticut pharmacy or an institutional pharmacy approved by the commission, providing training for a pharmacy intern in contemporary pharmacy practice; and ''pharmacy intern preceptor'' means a Connecticut pharmacist supervising a pharmacy intern.

(b) The professional experience required by section 20-590 of the General Statutes shall consist of the satisfactory fulfillment of a series of objectives approved by the commission, completed during fifteen hundred clock hours as a registered pharmacy intern. The professional experience may be obtained by completing any combination of the following:

(1) employment or voluntary work in a Connecticut pharmacy or an institutional pharmacy approved by the commission, but no more than 40 clock hours may be obtained in any one week;

(2) completion of an educational experiential program established and monitored by a school or college of pharmacy accredited by the Accreditation Council for Pharmacy Education, or its successor organization recognized by the United States Department of Education as the accrediting body for professional degree programs in pharmacy, and approved by the commission;

(3) an out of state practical experience program approved by the appropriate licensing agency in the state wherein the experience is attained; or

(4) an industrial, research or other professional experience program established by a school or college of pharmacy accredited by the Accreditation Council for Pharmacy Education, or its successor organization recognized by the United States Department of Education as the accrediting body for professional degree programs in pharmacy, and approved by the commission. Hours accumulated under this subdivision shall be limited to a maximum of 400 hours.

(c) The following requirements shall apply only to experience hours acquired by a pharmacy intern employed or volunteering in a Connecticut pharmacy or institutional pharmacy approved by the commission pursuant to subsection (b)(1) of this section:

(1) No pharmacy intern preceptor shall supervise the training of more than one pharmacy intern at any one time;

(2) A pharmacy intern preceptor's statement supplied by the department shall be completed and signed by the preceptor and the intern, certifying that the stated hours and content of the professional experience are true;

(3) The pharmacy intern shall within five days of the event, notify the commission of any of the following changes in his internship training:

(A) the commencement of his internship training;

(B) a change in the place of supervision;

(C) a change of the pharmacy intern preceptor;

(D) a change in the hours of supervision; or

(E) cessation of supervision; and

(4) The department shall issue to each pharmacy intern, registering in accordance with section 20-598 of the General Statutes, an identification number and card except to those individuals obtaining internship training in an out of state practical experience program approved by the licensing agency in the state wherein the experience is attained.

(Adopted effective January 11, 1999; amended April 28, 2011)

Sec. 20-576-9. Authority of registered pharmacy intern

A registered pharmacy intern may compound and dispense drugs and devices and otherwise perform contemporary pharmacy services only when a pharmacist is physically present in the pharmacy or institutional pharmacy and personally supervising such compounding, dispensing or delivery of contemporary pharmacy services.

(Adopted effective January 11, 1999)

Sec. 20-576-10. Information to be reported

Every pharmacist who commences the practice of pharmacy or changes the pharmacist's place of employment within the state of Connecticut shall report to the department within five days the following information:

(1) the date of commencement of the practice of pharmacy;

(2) the name of the pharmacist's employer;

(3) the address of the practice location; and

(4) the type of practice.

(Adopted effective January 11, 1999)

Sec. 20-576-11. Change of name or address

Any pharmacist or registered pharmacy technician changing the pharmacist's or technician's name or home address shall notify the commission of such change within five days.

(Adopted effective January 11, 1999)

Sec. 20-576-12. Required pharmacy equipment and references

Every pharmacy and institutional pharmacy shall have proper pharmaceutical equipment and appropriate pharmaceutical reference materials to insure that prescriptions can be properly dispensed and that contemporary pharmacy services can be properly provided.

(Adopted effective January 11, 1999)

Sec. 20-576-13. Hours of operation of a pharmacy

A pharmacy shall be open at least thirty-five hours per week, except as otherwise authorized in regulations concerning classes of pharmacies promulgated pursuant to Section 20-576(a)(2) of the General Statutes.

(Adopted effective January 11, 1999)

Sec. 20-576-14. Security of the prescription department during momentary absences of a pharmacist

During times when the pharmacist leaves the prescription department, or leaves the area operated as the pharmacy in accordance with sections 20-576-15 and 20-576-16 of the Regulations of Connecticut State Agencies, for a few moments, measures shall be taken to insure that adequate security of the prescription department is provided and that entry by unauthorized personnel is prevented or immediately detected. The presence of a pharmacy intern or a pharmacy technician in the prescription department, or in the area operated as the pharmacy in accordance with section 20-576-15 and 20-576-16 of the Regulations of Connecticut State Agencies, during these times shall be considered to be providing adequate security. If no such personnel are available for this purpose, and the prescription department, or the area licensed as the pharmacy in accordance with sections 20-576-15 and 20-576-16 of the Regulations of Connecticut State Agencies, is not within the view of the pharmacist, a method shall be employed to physically or electronically secure the prescription department through the use of mechanisms such as a locked barrier or an alarm system that will prevent or immediately detect access to that area.

(Adopted effective January 11, 1999)

Sec. 20-576-15. Licensing as a pharmacy the entire premises of a business not primarily devoted to the operation of a pharmacy

The commission shall not be required to license as a pharmacy, the entire premises of a business that is not devoted primarily to the operation of a pharmacy. In determining whether to license the entire premises the commission shall consider, but shall not be limited to the following factors:

(1) the primary nature of the business and the type of products sold, especially the relationship of the products sold to the practice of pharmacy; and

(2) the percentage of the floor space of the business devoted to the sale of drugs, medical devices and other health related products.

(Adopted effective January 11, 1999)

Sec. 20-576-16. Physical construction and operation of pharmacies located in businesses not devoted primarily to the operation of a pharmacy

When a pharmacy is operated in any store, firm or other business not devoted primarily to the operation of a pharmacy, the following provisions shall be met:

(1) The area which is licensed as a pharmacy shall be completely separated from other business operations by partitions approved by the commission and the entire pharmacy shall be arranged or constructed to prevent the public from having unauthorized or illegal access to any drugs or medical devices;

(2) Such pharmacy shall be constructed so that it can be completely secured and locked to prevent unauthorized entry during times when the pharmacy is closed and the pharmacist is not present;

(3) The hours of operation of the pharmacy shall be conspicuously displayed at the main outside entrance of the business, store or firm;

(4) Access to the pharmacy by an authorized pharmacist shall be provided twenty-four hours daily;

(5) Exterior and interior signs exhibited by such business which use words such as ‘‘pharmacy,’’ ‘‘drug store,’’ ‘‘apothecary’’ or other words indicating that such place of business houses a pharmacy shall not be positioned in such a way, or be of such size, as to imply that the entire premises is a pharmacy;

(6) The portion of the premises occupied by a pharmacy may have a door admitting the public directly into said pharmacy from outside of the building, from a public way within a shopping mall or plaza or from a lobby which leads directly to the outside; and

(7) In a business, store or firm where there is no access providing direct access to the pharmacy in accordance with subdivision (6) of this section, the pharmacy shall be located in an area which is approved by the commission and which provides for convenience and ease of access to patients.

(Adopted effective January 11, 1999)

Sec. 20-576-17. Closing of prescription department

(a) The pharmacist manager of a pharmacy may apply to the commission for permission to close the prescription department during specified hours. Prior to granting the applicant's request, the commission shall request that the Commissioner of Consumer Protection inspect the pharmacy for compliance with sections 20-576-17 through 20-576-19, inclusive, of the Regulations f Connecticut State Agencies. Upon confirmation from the Commissioner of Consumer Protection that the pharmacy is in compliance with those regulations, the commission shall grant such permission. A record of such application and its approval shall be maintained on file by the commission.

(b) After approval is granted pursuant to subsection (a) of this section, a pharmacy may reduce the hours the prescription department is open if:

(1) the pharmacist manager files notice of such reduction of hours with the Department of Consumer Protection at least thirty days prior to such change; and

(2) the pharmacy posts a conspicuous notice to the public at least thirty days prior to such reduction of hours.

(c) After approval is granted pursuant to subsection (a) of this section, a pharmacy may increase the hours the prescription department is open. The pharmacist manager shall file notice of such increase of hours with the Department of Consumer Protection not later than five days after such change.

(d) The prescription department of a pharmacy shall be open to provide pharmaceutical services not less than thirty-five hours per week.

(Adopted effective January 11, 1999; amended August 2, 2001)

Sec. 20-576-18. Procedures when prescription department closed

(a) During times that the prescription department is closed, it shall be securely locked and equipped with an alarm system. Such alarm shall be activated and operated separately from any other alarm system at the pharmacy, and shall be able to detect entrance to the prescription department at times when it is closed. Keys and access codes to the alarm system shall be controlled in such a manner so as to prevent access to the prescription department by other than authorized pharmacy personnel. Only a pharmacist shall have the authority to deactivate the alarm system.

(b) Original written prescriptions, prescription containers to be refilled or written requests for prescription refills may be left at the pharmacy at times when the prescription department is closed only if they are deposited directly into a drop box by a patient or his agent. Such box shall be a one-way container constructed in a manner which ensures that deposited items are not retrievable other than from inside the pharmacy by the pharmacist or his designee and only at times when the pharmacist is present in the pharmacy.

(c) Prescriptions which have been prepared for pickup, legend drugs, controlled substances, legend devices and products whose sale is limited to pharmacies or shall

be carried out by or under the supervision of a pharmacist, shall be stored within the prescription department or in a separate locked storage area and no sales of such products shall take place when the prescription department is closed.

(d) When the prescription department is closed, deliveries from manufacturers, wholesalers or other drug distributors of legend drugs, controlled substances, legend devices and products whose sale is limited to pharmacies or shall be carried out by or under the supervision of a pharmacist, shall be stored in a secure locked area until such time that a pharmacist is present in the pharmacy and the orders can be processed under a pharmacist's supervision.

(Adopted effective January 11, 1999)

Sec. 20-576-18a. Unscheduled closing of the prescription department or the pharmacy

(a)(1) A pharmacy that has received approval from the commission, in accordance with section 20-576-17 of the Regulations of Connecticut State Agencies, to close the prescription department during specified hours, may close the prescription department during its posted hours of operation only if the pharmacist who was scheduled to work cannot do so and a replacement pharmacist cannot reasonably be scheduled to work.

(2) If the prescription department of a pharmacy is closed under the provisions of subsection (a)(1) of this section, the pharmacy shall comply with the requirements of section 20-576-18 of the Regulations of Connecticut State Agencies and the following:

(A) The pharmacy shall implement procedures to notify patients of the pharmacy who need prescriptions dispensed where these prescriptions, including refills, can be obtained immediately. Such procedures may include, but are not limited to, telephone system messages and conspicuously posted signs;

(B) the prescription department of a pharmacy shall not be closed more than one calendar day for any one such closing;

(C) the prescription department of a pharmacy shall not be closed more than eighteen times in a three hundred sixty-five day period or more than twice in any thirty-day period; and

(D) the pharmacist manager shall report each such closing of the prescription department to the commission not later than seventy-two hours after the closing.

(b)(1) A pharmacy that is operated in a store, firm or other business not devoted primarily to the operation of a pharmacy, in accordance with section 20-576-16 of the Regulations of Connecticut State Agencies, may close the pharmacy during its posted hours of operation only if the pharmacist who was scheduled to work cannot do so and a replacement pharmacist cannot reasonably be scheduled to work.

(2) If the pharmacy is closed under the provisions of subsection (b)(1) of this section, the pharmacy shall comply with the requirements of section 20-576-16 of the Regulations of Connecticut State Agencies and the following:

(A) The pharmacy shall implement procedures to notify patients of the pharmacy who need prescriptions dispensed where these prescriptions, including refills, can be obtained immediately. Such procedures may include, but are not limited to, telephone system messages and conspicuously posted signs;

(B) the pharmacy shall not be closed more than one calendar day for any one such closing;

(C) the pharmacy shall not be closed more than eighteen times in a three hundred sixty-five day period or more than twice in any thirty-day period; and

(D) the pharmacist manager shall report each such closing of the pharmacy to the commission not later than seventy-two hours after the closing.

(c) A pharmacy that is not required to post its hours of operation, but closes the pharmacy during its normal hours of operation, shall implement procedures to notify patients of the pharmacy who need prescriptions dispensed where these prescriptions, including refills, can be obtained immediately. Such procedures may include, but are not limited to, telephone system messages and conspicuously posted signs.

(Adopted effective August 2, 2001)

Sec. 20-576-19. Disclosure of times of operation of prescription department

Pharmacies which have received approval from the commission to operate when the prescription department is closed shall comply with the following requirements:

(1) The hours of operation of the prescription department shall be posted at all entrances to the pharmacy in block letters at least one-half inch in height;

(2) All advertising for a specific pharmacy shall clearly state the hours of operation of the prescription department; and

(3) All advertising containing multiple listings of specific pharmacies may contain the statement ''The services of a pharmacist may not be available at all times when stores are open'' in lieu of stating the hours of operation of each pharmacy's prescription department.

(Adopted effective January 11, 1999)

Sec. 20-576-20. New pharmacy or relocation of existing pharmacy

(a) The pharmacist manager and applicant for a new pharmacy premise, or the pharmacist manager and licensee of a pharmacy premise which moves its location to a new premise location, or the pharmacist manager and licensee of a pharmacy which complies with sections 20-576-15 and 20-576-16 of the Regulations of Connecticut State Agencies and which moves the area, or any portion thereof, licensed as a pharmacy, to a different area within the business premises, shall appear in person at a meeting of the commission and present a completed new pharmacy premise application or a completed transfer pharmacy premise application with the proper fee and a detailed sketch drawn to scale or a blueprint of the proposed new pharmacy premise location or re-location with its dimensions. The sketch or blueprint shall show at least the following data:

(1) the square footage of the area which will be licensed as the pharmacy premise;

(2) for pharmacies which comply with sections 20-576-15 and 20-576-16 of the Regulations of Connecticut State Agencies, the total square footage of the entire business entity;

(3) the square footage of the prescription department;

(4) the square footage and location of areas used as storerooms or stockrooms;

(5) the size of the prescription counter;

(6) the location of the prescription department sink and refrigerator;

(7) the location of the controlled drug safe;

(8) the location of the toilet facilities;

(9) the location and size of patient counseling areas, if any; and

(10) any other information, related to the physical plant, required by the commission in regulations adopted pursuant to section 20-576(a)(2) of the General Statutes, concerning the licensing of various classes of pharmacies.

(b) Whenever the applicant or the licensee is a person other than the pharmacist manager, the applicant or licensee may designate an individual to act as the applicant's or licensee's agent for purposes of this section.

(c) Applications to move the area, or any portion thereof, licensed as a pharmacy, to a different area within the business premises, for pharmacies which comply with sections 20-576-15 and 20-576-16 of the Regulations of Connecticut State Agencies, shall require the fee for the relocation of a pharmacy.
(Adopted effective January 11, 1999)

Sec. 20-576-21. Name of pharmacist manager to be posted

The name of the pharmacist manager shall be conspicuously posted within the prescription department of a pharmacy, or in immediate proximity to it. The manager's name shall be displayed in a location and in a manner so as to be clearly and readily identifiable to patients and customers. Nothing in this section shall be construed to prevent the display of the name of the pharmacist manager at other locations within the pharmacy in addition to the above location.
(Adopted effective January 11, 1999)

Sec. 20-576-22. Report of absence of pharmacist manager

(a) If a pharmacist manager is absent from the pharmacy for any reason for more than sixteen consecutive days, the licensee shall immediately report such absence to the commission. The licensee shall provide the commission with the name of the pharmacist designated to be the acting pharmacist manager within five days following the sixteenth consecutive day of the pharmacist manager's absence.

(b) If the absence of the pharmacist manager exceeds forty-two consecutive days such person shall be deemed to have ceased to be the pharmacist manager of the pharmacy. In such case, the licensee shall, in accordance with section 20-597 of the General Statutes, immediately notify the commission and shall immediately enroll with the commission the name, address and license number of the pharmacist who is assuming management of the pharmacy. This notice of change of pharmacist manager shall be accompanied by the filing fee required by section 20-601 of the General Statutes. The pharmacist who ceases management of the pharmacy shall also immediately notify the commission of this fact.
(Adopted effective January 11, 1999)

Sec. 20-576-23. Newly designated pharmacist managers

A pharmacist who is designated to be a pharmacist manager and has not previously managed a Connecticut pharmacy, shall appear before the commission for a personal interview related to the pharmacist's knowledge and responsibilities as a pharmacist manager. Such interview shall take place before the pharmacist is authorized to manage the pharmacy except that, in cases of hardship, the pharmacist shall appear at the first commission meeting held after the date the pharmacist commences work as the pharmacist manager.
(Adopted effective January 11, 1999)

Sec. 20-576-24. Provision of prescription blanks to prescribing practitioners prohibited

No pharmacist or pharmacy shall provide any prescribing practitioner with prescription blanks bearing a pharmacist's or pharmacy's name thereon.
(Adopted effective January 11, 1999)

Sec. 20-576-25. Labeling of prescriptions

All prescriptions dispensed in pharmacies and all outpatient prescriptions dispensed in institutional pharmacies shall be labeled and such labels shall contain all information required by federal and state statutes and regulations.
(Adopted effective January 11, 1999)

Sec. 20-576-26. Prescription procedures

(a) Oral orders from a prescribing practitioner or his agent for new prescriptions or oral authorizations for prescription refills shall be communicated directly to a pharmacist. Nothing in this subsection shall be construed to prevent a pharmacy technician from obtaining prescription renewal authorizations in accordance with sections 20-576-35 and 20-576-39 of the Regulations of Connecticut State Agencies.

(b) All electronically transmitted prescriptions shall be received directly in the prescription department of a pharmacy.

(Adopted effective January 11, 1999)

Sec. 20-576-27. Substitution of drugs. Definitions

As used in sections 20-576-27 through 20-576-30, inclusive, of the Regulations of Connecticut State Agencies, ''Purchaser'' means the patient for whom the drug product is prescribed, or the patient's authorized agent, or, in the case of a minor or incompetent person, the patient's parent or guardian except that for subsection (e) of section 20-619 of the General Statutes the word ''Purchaser'' means the Payor of a prescription drug; and ''Substitution'' means the dispensing of a different drug, biological, medicinal substance, device or brand of the same in place of the drug, biological, medicinal substance, device or brand of the same prescribed without the express permission of the prescribing practitioner, except as provided in section 20-619 of the General Statutes, or in hospitals without the express approval of the medical staff pharmacy committee.

(Adopted effective January 11, 1999)

Sec. 20-576-28. Notification to patient concerning substitution

The pharmacist, prior to any substitution of a drug product pursuant to section 20-619 of the General Statutes, shall notify the patient or the patient's agent of any such substitution. The patient may indicate that no substitution is to be made and that the drug product appearing on the prescription shall be used to the exclusion of all other drug products.

(Adopted effective January 11, 1999)

Sec. 20-576-29. Recording of drug substitution

Whenever a pharmacist substitutes a drug product pursuant to section 20-619 of the General Statutes, the pharmacist shall:

(1) Record on the face of the prescription form of a written prescription the brand name of the drug product substituted or if the drug product substituted has no brand name, the generic name and name of the manufacturer of the drug product substituted; or in the case of an oral or electronically transmitted prescription, he shall record both the brand name of the drug product ordered by the prescribing practitioner and the brand name of the drug product substituted or, if the drug product substituted has no brand name, the generic name and name of the manufacturer of the drug product substituted; and

(2) Record on the face of the prescription form the retail price (at the time of dispensing) of the drug product substituted.

(Adopted effective January 11, 1999)

Sec. 20-576-30. Disclosing the price of legend drugs

(a) As used in section 20-611 of the General Statutes, and in this section, ''prospective purchaser'' means a person for whom a prescription has been issued in compliance with section 20-614 of the General Statutes, or the patient's authorized agent or, in the case of a minor or incompetent person, the patient's parent or guardian,

and who is making an inquiry either in person or by telephone to a pharmacist for the price of said prescription.

(b) For the purpose of complying with section 20-611 of the General Statutes, and in order to have sufficient information to disclose a prescription price, a pharmacist may ask a prospective purchaser making an inquiry in person or by telephone, or any other person making such an inquiry on behalf of the prospective purchaser for the following:

(1) The name of the medication (brand or generic);

(2) Dose or strength, if applicable; and

(3) Quantity.

(c) In the event that the prospective purchaser or other person making such an inquiry on his or her behalf cannot provide any of the information listed in subsection (b) of this section, and such information is necessary for the requested price to be determined, then the pharmacist may contact the prescribing practitioner in order to obtain the necessary information prior to disclosing the prescription price.

(d) Where substitution of a generic drug product is authorized pursuant to section 20-619 of the General Statutes, the pharmacist shall disclose the price of the substituted drug product. In so doing, however, the pharmacist shall also disclose the brand name or the generic name of said substituted drug product. The pharmacist shall also disclose the name of the drug manufacturer of the substituted drug product and otherwise comply with the provisions of section 20-619 of the General Statutes.

(Adopted effective January 11, 1999)

Sec. 20-576-31. Sale of nonlegend drugs in vending machines

No nonlegend drug shall be sold or offered or exposed for sale or dispensed by any means in any type of vending machines.

(Adopted effective January 11, 1999)

Sec. 20-576-32. Pharmacy technicians. Definitions

(a) The definitions in section 20-571 of the Connecticut General Statutes and this section shall apply to sections 20-576-33 to 20-576-39 inclusive, of the Regulations of Connecticut State Agencies. The term pharmacy technician does not include:

(1) persons working in an institutional pharmacy who are not engaged in the compounding and dispensing of medications, such as stock clerks and clerical personnel; and

(2) persons working in a pharmacy who are not engaged in the compounding and dispensing of medications, such as stock clerks, cashiers, clerical personnel and data entry personnel performing routine functions such as entering and retrieving basic information not directly related to dispensing as defined in subdivision (9) of section 20-571 of the Connecticut General Statutes, getting prescription files and other manual records from storage, generating computer records such as refill logs and inventories of dispensing for the signature or initials of the pharmacist, handling or delivering completed prescriptions to the patient or the patient's agent, and ringing up or receiving sales. Data entry of demographic and insurance information shall not be considered to be directly related to dispensing.

(b) ''Supervising pharmacist'' means a pharmacist who supervises pharmacy technicians; who is fully aware of and responsible for all activities pertinent to drug preparation, dispensing and distribution in which pharmacy technicians are engaged; and who conducts in-process and final checks on the performance of such pharmacy technicians.

(c) ''Certified pharmacy technician'' means a person who holds an active certification from the Pharmacy Technician Certification Board, or any other equivalent pharmacy technician certification approved by the Commission of Pharmacy.

(d) ''Director of pharmacy'' means the pharmacist designated by the facility administrator in a care-giving, correctional or juvenile training institution as being in direct charge of, and having overall responsibility for the operation and management of pharmacy services of that institution.

(e) ''Inpatient pharmacy'' means that area of an institutional pharmacy which is engaged in the manufacture, production, sale and distribution of drugs, devices and other pharmaceutical related materials used in the diagnosis and treatment of registered inpatients of a care-giving, correctional or juvenile training institution.

(f) ''Satellite pharmacy'' means an extension of an inpatient pharmacy which provides decentralized pharmaceutical care to persons in specific locations within a care-giving, correctional or juvenile training institution, including but not limited to specific patient care areas, nursing units, operating rooms and critical care units.

(g) ''Outpatient pharmacy'' means that area of an institutional pharmacy which provides pharmaceutical care to registered outpatients receiving treatment at a care-giving institution.

(Adopted effective January 11, 1999; amended June 28, 2004)

Pharmacy Technicians in Institutional Pharmacies

Sec. 20-576-33. Ratio

The ratio of pharmacy technicians to pharmacists in an institutional pharmacy shall be as follows:

(1) In an outpatient pharmacy, the ratio shall not exceed two pharmacy technicians to one supervising pharmacist, except that the commission may, in its discretion, grant a petition based on demonstrated need from any director of pharmacy for a ratio not to exceed three pharmacy technicians to one supervising pharmacist;

(2) In an inpatient pharmacy, the ratio shall not exceed three pharmacy technicians to one supervising pharmacist, except that the commission may, in its discretion, grant a petition based on demonstrated need from any director of pharmacy for a ratio not to exceed five pharmacy technicians to one supervising pharmacist; and

(3) In a satellite pharmacy, the ratio shall not exceed three pharmacy technicians to one supervising pharmacist, except that the commission may, in its discretion, grant a petition based on demonstrated need from any director of pharmacy for a ratio not to exceed five pharmacy technicians to one supervising pharmacist.

(Adopted effective January 11, 1999)

Sec. 20-576-34. Supervision and responsibility

The pharmacist providing direct supervision of pharmacy technicians shall be responsible for their actions. Any violations relating to the dispensing of drugs resulting from the actions of pharmacy technicians, or the use of pharmacy technicians in the performance of tasks in a manner not in conformance with section 20-613 of the General Statutes or section 20-576-35 of the Regulations of Connecticut State Agencies, shall constitute cause for action against the license of the supervising pharmacist in accordance with section 20-579 of the General Statutes.

(Adopted effective January 11, 1999)

Sec. 20-576-35. Limitations. Name tags

(a) Pharmacy technicians shall not:

(1) receive new prescription orders verbally from a prescribing practitioner or the practitioner's agent;

(2) consult with a patient or the patient's agent regarding medication, either before or after it has been dispensed, or regarding any medical information contained in a patient medication record system;

(3) perform any identification, evaluation, interpretation or needed clarification of a prescription;

(4) consult with the prescribing practitioner or the practitioner's agent regarding a patient or any medical information pertaining to the patient's prescription;

(5) interpret the clinical data in a patient medication record system;

(6) perform professional consultation with prescribing practitioners, nurses or other health care professionals or their authorized agents;

(7) verify a prescription prior to its release for patient use; and

(8) determine generically and therapeutically equivalent drug products to be substituted for brand name drug products in accordance with section 20-619 of the General Statutes.

(b) Nothing in this section shall be construed to limit a pharmacy technician from communicating with a prescribing practitioner or his agent to obtain an authorization for the renewal of an existing prescription for a drug other than a controlled substance that can no longer be refilled, provided the following conditions are met:

(1) the supervising pharmacist is aware that such an authorization is being requested;

(2) the refill for which the authorization is being requested is identical to the original prescription and there is no change in the prescribed drug, its strength, form, quantity, dose, route of administration or in any other element of the prescription; and

(3) all refill authorizations obtained by the pharmacy technician are reviewed by the supervising pharmacist to insure that there is no change in the prescription.

(c) Pharmacy technicians shall wear name tags or similar forms of identification that clearly identify them to the public as pharmacy technicians.

(Adopted effective January 11, 1999; amended February 22, 2000)

Pharmacy Technicians in Pharmacies

Sec. 20-576-36. Ratio

(a) The ratio of pharmacy technicians to pharmacists shall not exceed two pharmacy technicians to one supervising pharmacist, except that the ratio shall not exceed three pharmacy technicians to one supervising pharmacist:

(1) for intravenous admixtures and other sterile products preparation, unit dose and unit of use dispensing and bulk compounding; ; or

(2)(A) if at least one of the three pharmacy technicians is a Certified Pharmacy Technician; and

(B) the supervising pharmacist has not, pursuant to the provisions of subsection (b) of this section, provided notice to the pharmacist manager that the pharmacist refuses to supervise three pharmacy technicians.

(b) Except for intravenous admixtures and other sterile products preparation, unit dose and unit of use dispensing and bulk compounding, a pharmacist may refuse to supervise three pharmacy technicians at one time. The pharmacist shall put any such refusal in writing and give it to the pharmacist manager. Any refusal shall

include a specific statement that the pharmacist refuses to supervise three pharmacy technicians, the names and addresses of the pharmacies involved, the date and the signature of the pharmacist. A pharmacist may rescind any refusal by providing the pharmacist manager with a signed, dated statement. A pharmacy shall keep all refusals or rescissions on file in the pharmacy or a place where they can be readily retrieved and provided to the department.

(Adopted effective January 11, 1999; amended June 28, 2004)

Sec. 20-576-37. Training and registration

(a) Pharmacy technicians shall complete initial training as determined by the pharmacist manager of each pharmacy. Such training shall include, but not be limited to, on-the-job and other related education and shall be commensurate with the tasks pharmacy technicians are to perform. This training shall be completed prior to the regular performance of such tasks. The pharmacy technician shall be registered with the department no more than thirty days after the start of such training.

(b) The pharmacist manager shall assure the continued competency of pharmacy technicians through continuing in-service training designed to supplement initial training.

(c) The pharmacist manager shall be responsible for maintaining a written record documenting the initial and continuing training of pharmacy technicians and it shall contain the following information:

(1) the name of the individual receiving the training;

(2) the date(s) of the training;

(3) a general description of the topics covered;

(4) the name of the person supervising the training; and

(5) the signature of the individual receiving the training and the pharmacist manager.

When a change of pharmacist manager occurs, the new manager shall review the document and sign it, indicating that he understands its contents. This record shall be readily available for inspection and may be copied by the Commissioner of Consumer Protection or his authorized agents.

(Adopted effective January 11, 1999; amended June 28, 2004)

Sec. 20-576-38. Supervision and responsibility

The pharmacist providing direct supervision of pharmacy technicians shall be responsible for their actions. Any violations relating to the dispensing of drugs resulting from the actions of pharmacy technicians, or the use of pharmacy technicians in the performance of tasks in a manner not in conformance with section 20-613 of the General Statutes or section 20-576-39 of the Regulations of Connecticut State Agencies, shall constitute cause for action against the license of the supervising pharmacist in accordance with section 20-579 of the General Statutes.

(Adopted effective January 11, 1999)

Sec. 20-576-39. Limitations. Name tags

(a) Pharmacy technicians shall not:

(1) receive new prescription orders verbally from a prescribing practitioner or the practitioner's agent;

(2) consult with a patient or the patient's agent regarding medication, either before or after it has been dispensed, or regarding any medical information contained in a patient medication record system;

(3) perform any identification, evaluation, interpretation or needed clarification of a prescription;

(4) consult with the prescribing practitioner or the practitioner's agent regarding a patient or any medical information pertaining to the patient's prescription;

(5) interpret the clinical data in a patient medication record system;

(6) perform professional consultation with prescribing practitioners, nurses or other health care professionals or their authorized agents;

(7) verify a prescription prior to its release for patient use; or

(8) determine generically and therapeutically equivalent drug products to be substituted for brand name products in accordance with section 20-619 of the Connecticut General Statutes.

(b) Nothing in this section shall be construed to limit a pharmacy technician from communicating with a prescribing practitioner or his agent to obtain an authorization for the renewal of an existing prescription for a drug other than a controlled substance that can no longer be refilled, provided the following conditions are met:

(1) the supervising pharmacist is aware that such an authorization is being requested;

(2) the refill for which the authorization is being requested is identical to the original prescription and there is no change in the prescribed drug, its strength, form, quantity, dose, route of administration or in any other element of the prescription; and

(3) all refill authorizations obtained by the pharmacy technician are reviewed by the supervising pharmacist to insure that there is no change in the prescription.

(c) Pharmacy technicians shall wear name tags or similar forms of identification that clearly identify them to the public as either pharmacy technicians or certified pharmacy technicians.

(Adopted effective January 11, 1999; amended February 22, 2000, June 28, 2004)

Sec. 20-576-40. Prescriptions transmitted by facsimile machine

No pharmacist or pharmacy shall dispense legend drugs which are not controlled substances upon a prescription transmitted by means of a facsimile machine unless such prescription fully complies with sections 20-576-41 through 20-576-43, inclusive, of the Regulations of Connecticut State Agencies. For the purposes of Sections 20-576-40 through 20-576-43, inclusive, of the Regulations of Connecticut State Agencies, ''facsimile machine'' means a machine that electronically transmits facsimiles through connection with a telephone network.

(Adopted effective January 11, 1999)

Sec. 20-576-41. Requirements

Prescriptions for legend drugs which are not controlled substances may be transmitted by a prescribing practitioner or his agent to a pharmacy by means of a facsimile machine. All such prescriptions must comply with the following in addition to any other requirement of federal or state statute or regulation:

(a) The facsimile prescription shall clearly contain the name of the pharmacy to which the facsimile is being transmitted and the name of the facility from which it is being transmitted if the prescription is written for an inpatient of a chronic or convalescent nursing home or a rest home with nursing supervision;

(b) The facsimile prescription shall clearly display a statement in substantially the following form: ''This prescription is valid only if transmitted by means of a facsimile machine''; and

(c) The facsimile document received may be maintained as the actual prescription only if the nature of the equipment and paper ensures that the document will remain

non-fading and durable for the minimum amount of time required for the maintenance of prescription records under federal and state statute or regulation. If the document will not remain non-fading or durable, the document transmitted by facsimile machine shall be reduced to writing, photocopied or converted into an individual hard copy printout.

(Adopted effective January 11, 1999)

Sec. 20-576-42. Accuracy of prescriptions

If a pharmacist questions the accuracy or authenticity of a prescription order transmitted by facsimile machine, the pharmacist shall contact the prescribing practitioner for verification before dispensing the prescription.

(Adopted effective January 11, 1999)

Sec. 20-576-43. Relationship with prescribing practitioners and health care facilities

(a) No pharmacist or pharmacy shall maintain direct telephone, facsimile machine or computer lines to any health care facility or prescribing practitioner's office.

(b) No pharmacist shall enter into any agreement with a prescribing practitioner or health care facility concerning the provision of facsimile machine services or equipment which adversely affects any person's freedom to choose the pharmacy at which a prescription will be filled.

(Adopted effective January 11, 1999)

Sec. 20-576-44. Computer system requirements for non-controlled legend drugs

(a) Original written prescriptions for non-controlled substances shall be received, executed and filed in accordance with sections 20-614 and 20-615 of the General Statutes. In the case of original oral prescriptions which shall be received by a pharmacist, an individual or continuous hard copy printout containing all the required information may be used to satisfy the requirement of sections 20-614 and 20-615 of the General Statutes provided that such hard copy prescriptions are maintained in numerical order.

(b) In the case of refills of prescriptions for non-controlled substances an automated data processing system may be used for the storage and retrieval of refill information. Any such computerized system must provide on-line retrieval for a period of at least six months from the date of the last recorded dispensing via visual display device or hard-copy printout of original prescription order information for all prescriptions including those prescription orders which are currently authorized for refilling. This shall include but is not limited to data such as:

(1) the original prescription number;

(2) date of issuance of the original prescription order by the prescribing practitioner;

(3) full name and complete address of the patient;

(4) name and address of the prescribing practitioner;

(5) the name, strength, dosage form, quantity of the substance prescribed and quantity dispensed if different from the quantity prescribed; and

(6) the total number of refills authorized by the prescribing practitioner.

(Adopted effective January 11, 1999)

Sec. 20-576-45. Refill history capability requirements

Any computerized system must also provide on line retrieval via visual display device or hard copy printout of the current refill history for all prescription orders

which are currently authorized for refilling. This refill history shall include but is not limited to:

(1) the full name and address of the patient;
(2) the full name and complete address of the prescribing practitioner;
(3) the name, strength and dosage form of the substance dispensed;
(4) the date of refill;
(5) the quantity dispensed;
(6) the date on which the prescription was first dispensed;
(7) the original number assigned to said prescription;
(8) the name or initials of the dispensing pharmacists for each refill; and
(9) the total number of refills dispensed to date for that prescription order.

(Adopted effective January 11, 1999)

Sec. 20-576-46. Documentation of data requirements

Documentation of the fact that the refill information entered into the computer each time a pharmacist refills an original prescription order for non-controlled substance is correct must be provided by the individual pharmacist who makes use of such a system. In order to accomplish this documentation a pharmacy using such a computerized system must:

(1) provide a separate hardcopy printout of non-controlled substance prescription order refill data for each day. This hard copy printout shall include the refill data mentioned in section 20-576-45 of the Regulations of Connecticut State Agencies except that it need not contain the address of the patient or the address of the prescribing practitioner. The individual pharmacist must verify that the data is correct and sign the document in the same manner as he would sign a check or legal document. This document shall be maintained in a separate file at that pharmacy for a period of three years from the dispensing date. This printout of the non-controlled substance prescription order refill data for each day must be provided to each pharmacy using such a computerized system within 72 hours of the date on which the refill was dispensed. It must be verified and signed by each pharmacist who effected such dispensing as soon as possible after receipt. In no case shall the printout be verified and signed later than the pharmacist's first work period following receipt of the document; or

(2) In lieu of producing a separate hardcopy printout of non-controlled drug prescription refill data for each day, such data may be maintained in electronic form. If daily refill data is maintained electronically, the electronic data processing system must provide for ready retrieval of this information for a period of three years from the date of the last recorded dispensing. The system must provide on-line retrieval of prescription refill data, via visual display device, for at least six months from the date of the last recorded dispensing. The remaining refill data that must be stored for the required time period may be archived. The name or initials of the pharmacist associated with a prescription refill in the electronic system shall be construed to indicate that such pharmacist was the person responsible for dispensing that prescription. It shall be the responsibility of each dispensing pharmacist to insure that the daily refill information attributed to them is accurate.

(Adopted effective January 11, 1999)

Sec. 20-576-47. Information available upon request

Any computerized system shall have the capability of producing a printout of any refill data, for a three year period following the last date of dispensing, which the utilizing pharmacy is responsible for maintaining under Chapter 400j of the

General Statutes and the regulations promulgated thereunder. The printout shall be produced within 48 hours of the request, and shall include the following:

(1) the name of the prescribing practitioner;

(2) the name of the patient;

(3) the name, dosage form, strength and quantity of the drug;

(4) the date of dispensing for each refill;

(5) the name or initials of the dispensing pharmacist; and

(6) the number of the original prescription order.

Any pharmacy utilizing a computerized system, and authorized to maintain records at a central record keeping location, must be capable of obtaining the requested printout within 48 hours.

(Adopted effective January 11, 1999)

Sec. 20-576-48. Auxiliary system provision

In the event that a pharmacy which employs such a computerized system experiences system downtime, the pharmacy shall have an auxiliary procedure to be used for documentation of refills of non-controlled substance prescription orders. This auxiliary procedure shall insure that refills are authorized by the original prescription order, and that all of the appropriate data are retained for on-line entry as soon as the computer system is available for use again. All prescriptions refilled during the down time shall be confirmed as being authorized upon the resumption of on-line service.

(Adopted effective January 11, 1999)

Sec. 20-576-49. When handwritten system allowed

If an automated data processing system is used for the storage and retrieval of refill information for prescription orders as authorized by section 20-576 of the General Statutes and the regulations promulgated thereunder, the pharmacy may use a traditional handwritten system only to satisfy the requirements of section 20-576-48 of the Regulations of Connecticut State Agencies.

(Adopted effective January 11, 1999)

Sec. 20-576-50. Notice to commission upon commencement of use or change

Any pharmacy instituting an automated data processing system, or changing to an entirely new system, for the storage and retrieval of refill information for prescription orders as authorized by section 20-576 of the General Statutes and the regulations promulgated thereunder shall notify the commission at least 30 days prior to the commencement of usage of said system.

(Adopted effective January 11, 1999)

Sec. 20-576-51. Requirement of safeguards

If an automated data processing system is used for the storage and retrieval of refill information for prescription orders as authorized by section 20-576 of the General Statutes and the regulations promulgated thereunder, it shall:

(1) guarantee the confidentiality of the information contained in the data bank; and

(2) be capable of providing safeguards against erasures and/or unauthorized changes in data after the information has been entered and verified by the pharmacist.

(Adopted effective January 11, 1999)

Sec. 20-576-52. Reconstruction of data in case of accident

If an automated data processing system is used for the storage and retrieval of refill information for prescription orders as authorized by section 20-576 of the

General Statutes and the regulations promulgated thereunder, said automated data processing system shall be capable of being reconstructed in the event of a computer malfunction or accident resulting in the destruction of the data bank.

(Adopted effective January 11, 1999)

Sec. 20-576-53. Discontinuance of data processing system

In the event that a pharmacy using an electronic data processing system for storage and retrieval of information goes out of business, sells out to another pharmacy that does not wish to use such a system, or discontinues use of the computer system, the pharmacy shall:

(1) Notify the commission in writing at least 30 days prior to discontinuance of said system;

(2) Provide an up-to-date hardcopy printout of all prescriptions stored in the automated system for three years as part of the final records of that pharmacy prior to a change over to a manual system; and

(3) Make provision for these records to be available to any nearby pharmacy in the event that the pharmacy closes, as provided in Section 20-615 of the General Statutes.

(Adopted effective January 11, 1999)

Classes of Pharmacies

Sec. 20-576-54. Definitions

As used in sections 20-576-54 to 20-576-59, inclusive, of the Regulations of Connecticut State Agencies:

(1) ''Commission'' means the Commission of Pharmacy;

(2) ''Community pharmacy'' means a pharmacy licensed under section 20-594 of the Connecticut General Statutes wherein legend drugs and legend devices are stored and dispensed and from which related pharmaceutical care services are provided, primarily to non-institutionalized patients living in a community setting;

(3) ''Infusion therapy pharmacy'' means a pharmacy licensed under section 20-594 of the Connecticut General Statutes wherein legend drugs, in the form of parenteral, enteral and infusion therapies, and legend devices are stored, dispensed or sold and from which related pharmaceutical care services are provided;

(4) ''Long-term care pharmacy'' means a pharmacy licensed under section 20-594 of the Connecticut General Statutes wherein legend drugs and legend devices are stored and dispensed to patients or residents of licensed nursing homes, rest homes, homes for the aged, or other supervised residential facilities and from which related pharmaceutical care services are provided. This includes pharmacies located both inside and outside of such facilities but does not include those that are part of a licensed hospital;

(5) ''Nuclear pharmacy'' means a pharmacy licensed under section 20-594 of the Connecticut General Statutes wherein legend drugs, in the form of radiopharmaceuticals, and legend devices are stored, prepared or dispensed and from which related radiopharmaceutical care services are provided;

(6) ''Specialized drug pharmacy'' means a pharmacy licensed under section 20-594 of the Connecticut General Statutes wherein specialized legend drugs and legend devices are stored and dispensed and from which related pharmaceutical care services are provided including, but not limited to, those relating to the treatment of diabetes, hemophilia and infertility; and

(7) ''Specialty pharmacy'' means a pharmacy licensed under section 20-594 of the Connecticut General Statutes that does not meet any of the other definitions listed in subdivisions (2) through (6), inclusive, of this section.

(Adopted effective April 5, 2001; amended February 1, 2006)

Sec. 20-576-55. Classes of pharmacies

The commission shall approve a pharmacy for licensure in one or more of the following classes:

(1) Community pharmacy;
(2) Infusion therapy pharmacy;
(3) Long-term care pharmacy;
(4) Nuclear pharmacy;
(5) Specialized drug pharmacy; or
(6) Specialty pharmacy.

(Adopted effective April 5, 2001; amended February 1, 2006)

Sec. 20-576-56. Practice of pharmacy in classes

The commission shall approve each pharmacy to practice in one or more classes, as listed in section 20-576-55 of the Regulations of Connecticut State Agencies. No pharmacy shall conduct any substantial portion of its business in a class or classes until it is approved to do so by the commission, except that no pharmacy licensed prior to the effective date of this section shall be in violation of this section if the commission has not yet approved the pharmacy to practice in one or more classes.

(Adopted effective April 5, 2001)

Sec. 20-576-57. Designation of class

(a) The commission shall, when approving a new pharmacy license application, designate the class or classes, as listed in section 20-576-55 of the Regulations of Connecticut State Agencies, in which the pharmacy is approved for licensure. The commission has complete discretion to determine in which class or classes a pharmacy shall be licensed. In making its determination, the commission shall take into consideration the proportion of the business that the class of service represents as it relates to the total business of the pharmacy.

(b) For pharmacies licensed prior to the adoption of sections 20-576-54 to 20-576-59, inclusive, of the Regulations of Connecticut State Agencies, the commission shall review the operation of each such pharmacy and designate the class or classes in which it is approved for licensure not later than one hundred eighty days after the effective date of section 20-576-56 of the Regulations of Connecticut State Agencies.

(c) The licensing of a pharmacy in more than one class, simultaneously, shall not result in an increase in the licensing fee.

(Adopted effective April 5, 2001)

Sec. 20-576-58. Request for reconsideration. Modifications

(a) A pharmacy may request the commission to reconsider the pharmacy's initial designation of class not later than thirty days after the notice of such classification.

(b) A pharmacy that is licensed to operate in a particular class or classes may apply to the commission for a modification of such status.

(c) No fee shall be charged for a request for reconsideration or modification.

(Adopted effective April 5, 2001)

Sec. 20-576-59. Waivers and modifications

(a) Upon written request, the commission may grant a waiver or modification of any regulation pertaining to the operation of a pharmacy within a designated class or classes. The commission may approve such a request if it finds that:

(1) The waiver or modification will not adversely affect the health, safety or welfare of the public;

(2) The basis for the request has been clearly substantiated; and

(3) Compliance with the particular regulation is, or will be, impractical or unduly burdensome.

(b) For the purpose of requesting the waiver or modification described in subsection (a) of this section, the pharmacist manager, as designated under the provisions of section 20-597 of the Connecticut General Statutes, shall submit a written request to the commission which documents:

(1) The specific regulation for which the waiver or modification is requested;

(2) The reason for the request;

(3) A description of any alternative measures that will be employed;

(4) Any other relevant information that will assist the commission in properly evaluating the request; and

(5) Any additional information that may be requested by the commission for purposes of evaluating the request.

(c) Upon approving or denying the request, the commission shall notify the pharmacist manager of its decision. Any approval shall state the specific regulation or regulations being waived or modified, and any contingent conditions the pharmacy is required to meet in order to obtain the waiver or modification.

(Adopted effective April 5, 2001)

Nuclear Pharmacies

Sec. 20-576-60. Definitions

As used in sections 20-576-60 to 20-576-63, inclusive, of the Regulations of Connecticut State Agencies:

(1) ''Agreement state'' means any state that has entered into an agreement with the United States Nuclear Regulatory Commission or the Atomic Energy Commission under 42 U.S.C. § 2021;

(2) ''Commission'' means the Commission of Pharmacy;

(3) ''Component'' means any active or non-active ingredient of a drug product;

(4) ''Department'' means the Department of Consumer Protection;

(5) ''Nuclear pharmacist'' or ''authorized nuclear pharmacist'' means a pharmacist who holds a current pharmacist license issued by the commission, and who meets the following standards:

(A) has a current board certification as a nuclear pharmacist by the Board of Pharmaceutical Specialties; or

(B) is identified as an authorized nuclear pharmacist on a United States Nuclear Regulatory Commission or agreement state license that authorizes the use of radioactive material in the practice of nuclear pharmacy;

(6) ''Nuclear pharmacy technician'' means a person who:

(A) works under the direct supervision of a nuclear pharmacist;

(B) is currently registered as a pharmacy technician with the department; and

(C)(i) has successfully completed a nuclear pharmacy technician training program provided by an accredited college program or an equivalent company sponsored program approved by the commission, or

(ii) is listed as an ''Authorized User of Radioactive Materials'' on the nuclear pharmacy's United States Nuclear Regulatory Commission or agreement state license;

(7) ''Nuclear pharmacy'' means a pharmacy that provides radiopharmaceutical services and holds a Connecticut pharmacy license;

(8) ''Practice of nuclear pharmacy'' means a patient-oriented service that embodies the scientific knowledge and professional judgment required to improve and promote health through the assurance of the safe and efficacious use of radiopharmaceuticals and other drugs;

(9) ''Quality assurance procedures'' means all activities necessary to assure the quality of the process used to provide radiopharmaceutical services, including authentication of the product history, internal test assessment, and maintenance of all required records;

(10) ''Quality control testing'' means the performance of appropriate chemical, biological and physical tests on compounded and prepared radiopharmaceuticals and the interpretation of the resulting data to determine their suitability for use in humans and animals;

(11) ''Radiopharmaceutical'' means any drug that exhibits spontaneous disintegration of unstable nuclides with the emission of nuclear particles or photons and includes any non-radioactive reagent kit or radionuclide generator or eluates derived therefrom, which is intended to be used in preparation of any such substance. The term ''radiopharmaceutical'' includes, but is not limited to, positron-emission tomography agents, any biological product, including, but not limited to, blood formed element, antibody or peptide, that is labeled with a radionuclide or solely intended to be labeled with a radionuclide;

(12) ''Radiopharmaceutical compounding'' means the preparation, mixing, assembling, packaging, or labeling of a radiopharmaceutical that:

(A) is the result of a practitioner's drug prescription order in the course of professional practice;

(B) is for the purpose of, or incident to, research, teaching, or chemical analysis and not for sale or dispensing;

(C) includes use of reagent kits and radiopharmaceuticals in anticipation of prescription drug orders based on routine, regularly observed prescribing patterns;

(D) is performed in accordance with the preparation instructions contained in the approved drug product labeling or other preparation directions as provided by the manufacturer;

(E) is performed in consideration of patient safety and efficacy, with validated procedures which deviate from the preparation instructions specified in the approved drug product labeling; or

(F) may utilize professional judgment, scientific knowledge, literature evidence and other reference materials according to current standards of practice as the basis for employing any deviations from the labeled preparation instructions or modifications to a radiopharmaceutical, if the final drug product, created as a result of any such deviations or modifications, is subjected to appropriate quality control testing necessary to confirm the presence of the desired radiopharmaceutical qualities;

(13) ''Radiopharmaceutical services'' means the procurement, storage, handling, compounding, preparation, labeling, quality control testing, dispensing, distribution, transfer, record keeping, and disposal of radiochemicals, radiopharmaceuticals and ancillary drugs, and also includes quality assurance procedures, radiological health

activities, any consulting activities associated with the use of radiopharmaceuticals, health physics, and any other activities required for the provision of pharmaceutical care; and

(14) ''Reagent kit'' means a sterile and pyrogen-free reaction vial containing nonradioactive chemicals, including, but not limited to, complexing agent (ligand), reducing agent, stabilizer, or dispersing agent.

(Adopted effective November 30, 2006)

Sec. 20-576-61. General requirements for pharmacies providing radiopharmaceutical services

(a) A license to operate a nuclear pharmacy shall only be issued to a person who is, or who employs, a nuclear pharmacist.

(b)(1) A nuclear pharmacist shall:

(A) be responsible for all operations of the nuclear pharmacy;

(B) supervise the operation of only one nuclear pharmacy; and

(C) be present at all times that radiopharmaceutical services are being performed and at all times that the nuclear pharmacy is open for business.

(2) The license to operate a nuclear pharmacy shall be effective only if the pharmacy also holds appropriate federal and state licenses and permits to possess and distribute radioactive materials. Copies of all inspection reports prepared by any nuclear licensing agency shall be made available for department or commission inspection upon request.

(c) Nuclear pharmacies shall:

(1) have adequate space and equipment, commensurate with the scope of services required and provided;

(2) include, but are not limited to, the following areas: radiopharmaceutical preparation and dispensing area; radioactive material shipping and receiving area; radioactive material storage area and radioactive waste decay area;

(3) be secured from entry by unauthorized personnel;

(4) maintain records, including, but not limited to, the acquisition, inventory and disposition of all radiopharmaceuticals;

(5) compound and dispense radiopharmaceuticals that meet accepted standards of radiopharmaceutical quality, including, but not limited to, standards established by the United States Nuclear Regulatory Commission; and

(6) dispense radiopharmaceuticals only upon receipt of an order from a licensed practitioner or the practitioner's agent, or from a person authorized by the United States Nuclear Regulatory Commission or agreement state agency to possess such radiopharmaceuticals.

(d)(1) A nuclear pharmacist may transfer to authorized persons and United States Nuclear Regulatory Commission licensed medical practitioners radioactive materials not intended for drug use, in accordance with the regulations of the United States Nuclear Regulatory Commission and the Regulations of Connecticut State Agencies. A nuclear pharmacy may also furnish radiopharmaceuticals and other drug products for office use to these practitioners for individual patient use.

(2) Nuclear pharmacies may redistribute United States Food and Drug Administration approved radioactive drugs if the nuclear pharmacy does not process the radioactive drugs in any manner nor violate the product packaging. Drugs dispensed in this manner are not subject to the labeling requirements of section 20-576-62(c) of the Regulations of Connecticut State Agencies.

(Adopted effective November 30, 2006)

Sec. 20-576-62. Records and labeling

(a) Upon receiving an order for a radiopharmaceutical, a nuclear pharmacy shall immediately reduce the prescription to writing or record the order in an automated data processing system. The written or electronic record shall contain at least the following:

(1) the name of the institution and prescribing practitioner or the practitioner's agent;

(2) the requested date of dispensing and the calibration time of the radiopharmaceutical;

(3) the name of the procedure;

(4) the name of the radiopharmaceutical;

(5) the dose or quantity of the radiopharmaceutical;

(6) the prescription number assigned to the order;

(7) any specific instructions;

(8) the identity of the person who dispenses the prescription or medication order; and

(9) the patient's name if the prescription or medication order is for a therapeutic or blood-product radiopharmaceutical.

(b) The outer container (consisting of the radiation shielding) containing a radiopharmaceutical to be dispensed shall be labeled with:

(1) the name and address of the pharmacy;

(2) the name of the prescribing practitioner;

(3) the date of dispensing;

(4) the prescription number;

(5) if radioactive, the standard radiation symbol and the words ''Caution: Radioactive Material'';

(6) the name of the procedure;

(7) the radionuclide and chemical form;

(8) the amount of radioactivity and the calibration date and time;

(9) the expiration time;

(10) the appropriate dosage units;

(11) if a solid, the number of items or weight;

(12) if a gas, the number of ampoules or vials; and

(13) the patient name when intended for individual therapeutic use, or the words ''For Physician Use'' or ''For Physician Use Only.''

(c) The immediate inner container (containing the dose) of a radiopharmaceutical to be dispensed shall be labeled with:

(1) the name of the radiopharmaceutical;

(2) the serial number assigned to the prescription or medication order of the radiopharmaceutical;

(3) the standard radiation symbol; and

(4) the words ''Caution: Radioactive Material.''

(Adopted effective November 30, 2006)

Sec. 20-576-63. Minimum equipment and supplies

(a) Each nuclear pharmacy shall have the following equipment and supplies:

(1) radiation detection and measuring instruments capable of accurately measuring quantities of radioactivity and radiation;

(2) radiation shielding;

(3) appropriate supplies and equipment for performing quality assurance testing;

(4) a refrigerator;

(5) materials for decontamination of accidental spills of radioactive materials; and

(6) appropriate supplies and equipment necessary for compounding and dispensing sterile parenteral radiopharmaceuticals.

(b) Each nuclear pharmacy shall have access to, or maintain on the premises, a copy of:

(1) the *United States Pharmacopoeia/National Formulary* (USP/NF), or *Remington: The Science and Practice of Pharmacy;* and

(2) the current rules and regulations of the Nuclear Regulatory Commission or agreement state.

(Adopted effective November 30, 2006)

Sec. 20-576-64. Definitions

As used in sections 20-576-64 to 20-576-68, inclusive, of the Regulations of Connecticut State Agencies:

(1) ''Sterile compounding pharmacy'' means a pharmacy licensed pursuant to section 20-594 of the general statutes that dispenses sterile pharmaceutical products, but does not include a pharmacy that is part of a licensed hospital; and

(2) ''Sterile pharmaceutical'' means any dosage form of a drug, including, but not limited to, parenterals (e.g., injectables, surgical irrigants, and ophthalmics), devoid of viable microorganisms.

(Adopted effective July 12, 2011)

Sec. 20-576-65. Purpose

The purpose of sections 20-576-64 to 20-576-68, inclusive, of the Regulations of Connecticut State Agencies is to ensure positive patient outcomes through the provision of standards for (1) pharmacist care; (2) the preparation, labeling, and distribution of sterile pharmaceuticals by pharmacies licensed pursuant to section 20-594 of the general statutes; and (3) product quality and characteristics.

(Adopted effective July 12, 2011)

Sec. 20-576-66. Standards

(a) Sections 20-576-64 to 20-576-68, inclusive, of the Regulations of Connecticut State Agencies shall apply to all sterile pharmaceuticals, notwithstanding the location of the patient (e.g., home, hospital, nursing home, hospice, doctor's office).

(b) A sterile compounding pharmacy shall comply with sections 20-576-64 to 20-576-68, inclusive, of the Regulations of Connecticut State Agencies, and the current United States Pharmacopeia, Revised General Chapter 797, Pharmaceutical Compounding-Sterile Preparations. The United States Pharmacopeia, Revised General Chapter 797, Pharmaceutical Compounding-Sterile Preparations may be obtained via the Internet at the following location: http://www.usp.org/products/797Guidebook/.

(c) A sterile compounding pharmacy may provide compounded products to practitioners of medicine, osteopathy, podiatry, dentistry, or veterinary medicine to administer to their patients in the course of their professional practice, either personally or under their direct and immediate supervision, except that the quantity of such compounded products shall be limited to a two-week supply.

(Adopted effective July 12, 2011)

Sec. 20-576-67. Policy and procedure manual

A sterile compounding pharmacy shall prepare and maintain a policy and procedure manual for the compounding, dispensing, delivery, administration, storage and

use of sterile pharmaceuticals. The policy and procedure manual shall be in compliance with the United States Pharmacopeia, Revised General Chapter 797, Pharmaceutical Compounding-Sterile Preparations.

(Adopted effective July 12, 2011)

Sec. 20-576-68. Hours

A sterile compounding pharmacy shall be open at least thirty-five (35) hours per week unless granted a waiver by the Commission of Pharmacy pursuant to section 20-576-59 of the Regulations of Connecticut State Agencies.

(Adopted effective July 12, 2011)

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Electronic Data Intermediaries

Sec. 20-614-1. Definitions

(1) ''Commission'' means the Commission of Pharmacy;

(2) ''Department'' means the Department of Consumer Protection; and

(3) ''Electronic data intermediary'' means ''electronic data intermediary'' as defined by section 20-614 of the Connecticut General Statutes.

(Adopted effective August 30, 2005)

Sec. 20-614-2. Application for approval

(a) Each electronic data intermediary shall file an application for approval of its system with the commission on a form prescribed by the department. The form shall include but not be limited to the following information:

(1) the name and address of the applicant; and

(2) the business status of the applicant (sole proprietorship, partnership, corporation, limited liability company, etc.); and

(3) a description of the type of electronic data intermediary system to be used that describes:

(A) the security safeguards;

(B) the retention and retrieval capabilities of the system; and

(C) the safeguards designed to protect patient confidentiality.

(b) The commission, in its discretion, may require the applicant to provide a protocol that describes in detail the applicant's intended plan of operation. No applicant may change its protocol without review by the commission and approval by the department.

(c) The department shall approve any application filed by electronic data intermediaries that the commission has reviewed and accepted as being in compliance with the provisions of sections 20-614-3 though 20-614-6, inclusive, of the Regulations of Connecticut State Agencies.

(Adopted effective August 30, 2005)

Sec. 20-614-3. Procedures for transmission of prescription information

Each electronic data intermediary system shall have security and system safeguards designed to prevent and detect unauthorized access, modification, or manipulation of prescription information in accordance with current electronic transmission standards. Each system established by an electronic data intermediary shall include procedures to:

(1) select and execute security measures;

(2) establish physical safeguards to protect computer systems and other pertinent equipment from intrusion;

(3) protect and control confidential patient information;

(4) prevent unauthorized access to the data when transmitted over communication networks or when data physically moves from one location to another using media such as magnetic tape, removable drives, CD media or any other means of data storage; and

(5) authenticate the sender's authority and credentials to transmit a prescription.

(Adopted effective August 30, 2005)

Sec. 20-614-4. Retention of information

Each system established by an electronic data intermediary shall provide an audit trail of all prescriptions electronically transmitted that documents for retrieval all actions and persons who have acted on a prescription, including the authorized

delegation of a transmission. Such audit trail shall be maintained for three years from the date of last activity and made available for review by investigators of the department.

(Adopted effective August 30, 2005)

Sec. 20-614-5. Mechanisms for confidentiality of prescription information

Each electronic data intermediary system shall maintain the confidentiality of patient information in accordance with any applicable federal or state statute or regulation, including but not limited to 45 C.F.R. Part 160 and Part 164. Each electronic data intermediary system shall establish mechanisms in accordance with current electronic transmission standards that contain:

(1) encryption technology to maintain security;

(2) controls on employee access;

(3) protections against unauthorized access by outsiders;

(4) procedures for the permanent deletion of patient information.

(Adopted effective August 30, 2005)

Sec. 20-614-6. Patient's access to pharmacies

No electronic data intermediary shall restrict a patient's access to the patient's pharmacy of choice.

(Adopted effective August 30, 2005)

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Administration of Influenza Vaccine by Pharmacists

Sec. 20-633-1. Definitions

As used in sections 20-633-1 to 20-633-5, inclusive, of the Regulations of Connecticut State Agencies:

(1) ''Administer'' means ''administer'' as defined in section 20-571 of the Connecticut General Statutes; and

(2) ''Health care provider'' means a licensed practitioner authorized to order or prescribe legend drugs.

(Adopted effective November 30, 2006)

Sec. 20-633-2. General requirements

A licensed pharmacist may administer influenza vaccine to an adult if:

(a) The administration of the vaccine is conducted pursuant to an order of a licensed health care provider; and

(b) the pharmacist has successfully completed an immunization training program that complies with the requirements of section 20-633-3 and section 20-633-4 of the Regulations of Connecticut State Agencies.

(Adopted effective November 30, 2006)

Sec. 20-633-3. Qualifying training programs

Each influenza immunization training program shall be accredited by the National Centers for Disease Control Prevention or the Accreditation Council for Pharmacy Education.

(Adopted effective November 30, 2006)

Sec. 20-633-4. Requirements of training programs

(a) The course of study for the influenza immunization training program shall include current guidelines and recommendations of the National Centers for Disease Control Prevention for adult patients or be accredited by the Accreditation Council for Pharmacy Education.

(b) The course of study shall include, but not be limited to, the following:

(1) Mechanisms of action for vaccines, contraindications, drug interactions, and monitoring after vaccine administration;

(2) subcutaneous and intramuscular injections;

(3) immunization screening questions, informed consent forms, recordkeeping, registries and reporting mechanisms;

(4) vaccine storage;

(5) biohazard waste disposal and sterile techniques;

(6) establishing protocols;

(7) immunization coalitions and other community resources available;

(8) mechanisms for reporting adverse events to the Vaccine Adverse Event Reporting System (VAERS);

(9) reimbursement procedures and vaccine coverage by federal, state and local entities;

(10) administration techniques;

(11) current cardiopulmonary resuscitation certification; and

(12) annual continuing education in immunizations.

(Adopted effective November 30, 2006)

Sec. 20-633-5. Systems for control and reporting

(a) A health care provider shall establish a protocol with a pharmacist or a pharmacy. The protocol shall establish which vaccines may be administered, recordkeeping and reporting requirements, and emergency procedures.

(b) Written protocols shall include, but not be limited to, the following:

(1) The name of the health care provider authorized to order or prescribe drugs;

(2) the name of the pharmacist or pharmacists authorized to administer the vaccine;

(3) the types of vaccines that the pharmacist or pharmacists are authorized to administer;

(4) the procedures, decision criteria or plan the pharmacist or pharmacists shall follow when exercising the administration authority, including when to refer the patient to the physician;

(5) the procedures for emergency situations; and

(6) record keeping and documentation procedures, which shall include a requirement that the name of the pharmacist who administered the vaccine be recorded.

(Adopted effective November 30, 2006)

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Quality Assurance Programs for Pharmacies

Sec. 20-635-1. Definitions

As used in section 20-635-1 to section 20-635-6, inclusive, of the Regulations of Connecticut State Agencies:

(1) ''Department'' means the Department of Consumer Protection;

(2) ''Pharmacy personnel'' means pharmacist, pharmacy intern, pharmacy technician, and pharmacy support personnel; and

(3) ''Prescription error'' means ''prescription error'' as defined by section 20-635 of the Connecticut General Statutes.

(Adopted effective September 4, 2003)

Sec. 20-635-2. Quality assurance program

(a) Each pharmacy shall implement a quality assurance program to detect, identify and prevent prescription errors. The quality assurance program shall document and assess prescription errors to determine the cause and an appropriate response.

(b) The primary purpose of the quality assurance program shall be to advance error prevention by analyzing, individually and collectively, investigative and other pertinent data collected in response to a prescription error to assess the cause and any contributing factors such as system or process failures.

(c) Each pharmacy shall use the findings of its quality assurance program to develop pharmacy systems and workflow processes designed to prevent prescription errors.

(Adopted effective September 4, 2003)

Sec. 20-635-3. Notification to patient and prescribing practitioner

(a) Unless informed of a prescription error by the prescribing practitioner or the patient, a pharmacist who has discovered or been informed of a prescription error, shall immediately notify the patient and the prescribing practitioner that a prescription error has occurred. If the patient is deceased or unable to fully comprehend the notification of the error, the pharmacist shall notify the patient's caregiver or appropriate family member.

(b) The pharmacist shall communicate to the patient and prescribing practitioner the methods for correcting the error and reducing the negative impact of the error on the patient.

(Adopted effective September 4, 2003)

Sec. 20-635-4. Review of prescription errors

(a) Each pharmacy shall perform a quality assurance review for each prescription error. This review shall commence as soon as is reasonably possible, but no later than two business days from the date the prescription error is discovered.

(b) Each pharmacy shall create a record of every quality assurance review. This record shall contain at least the following:

(1) the date or dates of the quality assurance review and the names and titles of the persons performing the review;

(2) the pertinent data and other information relating to the prescription error reviewed;

(3) documentation of the patient and prescribing practitioner contact required by section 20-635-3 of the Regulations of Connecticut State Agencies;

(4) the findings and determinations generated by the quality assurance review; and

(5) recommended changes to pharmacy policy, procedure, systems, or processes, if any.

(Adopted effective September 4, 2003)

Sec. 20-635-5. Records

(a) Each pharmacy shall maintain a written copy of the quality assurance program on the pharmacy premises. This copy shall be readily available to all pharmacy personnel and the department.

(b) Each pharmacy shall maintain a record of the quality assurance review for all prescription errors for a minimum of three years. These records shall be maintained in an orderly manner and filed by date. These records, which may be stored outside of the pharmacy, shall be made available for inspection by the department within forty-eight (48) hours of request.

(Adopted effective September 4, 2003)

Sec. 20-635-6. Notice to pharmacy personnel

(a) A pharmacy shall make available a copy of its quality assurance program to each pharmacist employed at the pharmacy.

(b) Each pharmacy shall notify all pharmacy personnel that the discovery or reporting of a prescription error shall be relayed immediately to a pharmacist on duty.

(c) Each pharmacy shall inform pharmacy personnel of changes to pharmacy policy, procedure, systems, or processes made as a result of recommendations generated by the quality assurance program.

(Adopted effective September 4, 2003)

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Shorthand Reporters

Sec. 20-654-1. Definitions

As used in section 20-654-1 to section 20-654-8, inclusive, of the Regulations of Connecticut State Agencies, the terms ''Board'', ''Licensed shorthand reporter'' and ''Shorthand reporting'' shall have the same meaning as provided in section 20-650 of the Connecticut General Statutes, and:

(1) ''Court reporter'' means a person who records verbatim testimony in formal and informal legal proceedings in the direct employ of, or on a per diem basis for, the state of Connecticut or the United States of America;

(2) ''Financial interest'' means any business relationship between a licensed shorthand reporter and a party to a proceeding, whether or not that party has a financial stake in the proceeding, or an attorney participating in a proceeding or an agent for either of them, other than a business engagement for court reporting services related to a particular case or reporting incident, in which a reporter derives, directly or indirectly, any benefit other than from the specific services provided in the particular case or reporting incident; and

(3) ''Shorthand reporter'' means a person who makes a verbatim record of the spoken word by the use of written symbols, either manually or by the use of a stenotype machine or computer-aided stenotype transcription machine.

(Adopted effective April 18, 2000)

Sec. 20-654-2. Records

Each licensed shorthand reporter shall maintain an original stenographic record for a minimum period of seven years; however, that period shall be extended upon notice to the reporter or to such reporter's employer, if the reporter is associated with a reporting agency, that there may be a problem with a record ''such reporter'' has produced until such time as the problem has been resolved.

(Adopted effective April 18, 2000)

Sec. 20-654-3. Application for license

The application for licensure as a licensed shorthand reporter shall include the following information:

(1) the applicant's full name;

(2) any other name the applicant has used, including maiden name;

(3) the applicant's residence address;

(4) a telephone number at which the applicant may be reached during normal business hours;

(5) the applicant's date of birth;

(6) the applicant's social security number;

(7) the name and address of the principal agency with which the applicant works;

(8) whether the applicant has ever been convicted of a felony;

(9) the applicant's professional designation from the National Court Reporter's Association, if any;

(10) copies of similar licenses issued by other government agencies, in Connecticut or in any other location; and

(11) the applicant's education and experience, which shall include documentation consisting of notarized statements from employers or agencies establishing the dates and duties of the applicant's employment, and which may include curricula vitae or resumes, certified transcripts from an educational facility, or such other documentation as the Board in its discretion may require.

(Adopted effective April 18, 2000)

Sec. 20-654-4. Fees

Each application shall be accompanied by a non-refundable application fee in the amount of fifty dollars ($50.00) and a license fee for a three-year license in the amount of one hundred fifty dollars ($150.00). The initial license fee may be prorated in accordance with section 21a-10(b) of the Connecticut General Statutes. The fee for the renewal of any license issued pursuant to this chapter shall be in the amount of one hundred fifty dollars ($150.00) for each successive three-year period. The Department of Consumer Protection shall deposit all such fees in accordance with chapter 416 of the Connecticut General Statutes.

(Adopted effective April 18, 2000)

Sec. 20-654-5. Examination for licensure

(a) To become licensed in the state of Connecticut, a shorthand reporter shall take and pass the examination for licensure as a shorthand reporter which shall be offered by the Department of Consumer Protection or its designee with the advice and assistance of the State Board of Examiners of Shorthand Reporters. The examination may consist of one hundred true or false and multiple-choice questions, and the transcription of three audio tapes, consisting of jury charge material of two hundred words per minute, literary material of one hundred eighty words per minute and question and answer material of two hundred twenty-five words per minute. The Board may from time to time amend the examination requirements.

(b) The State Board of Examiners of Shorthand Reporters shall waive the requirement set forth in section 20-654-5(a) of the Regulations of Connecticut State Agencies for any person who has met the requirements provided in section 20-654(a) of the Connecticut General Statutes.

(c) Any person seeking to establish that such person was actively engaged in the practice of court or shorthand reporting in the state of Connecticut as of October 1, 1997 as provided in section 20-654(a) of the Connecticut General Statutes shall submit to the State Board of Examiners of Shorthand Reporters documentation consisting of notarized statements from employers or agencies establishing the dates and duties of the applicant's employment. The Board may also require production of curricula vitae or resumes, certified transcripts from an educational facility or such other documentation as the Board may in its discretion request.

(Adopted effective April 18, 2000)

Sec. 20-654-6. Renewals. Continuing education requirements

(a) Each applicant for renewal shall have successfully completed ten hours of continuing education which shall be in the form of continuing education courses approved by the National Court Reporters Association for each full year of licensure prior to the date of the license's first renewal. Thereafter, each applicant shall successfully complete thirty hours of continuing education courses approved by the National Court Reporters Association during each three-year license period.

(b) The board may waive the requirement in section 20-654-6(a) of the Regulations of Connecticut State Agencies for an applicant who provides proof that such person holds a current Registered Professional Reporter Certification or such other certificate requiring a higher degree of qualification issued by the National Court Reporters Association and that such applicant has complied with the continuing education requirements of the National Court Reporters Association. The requirements may be obtained from the National Court Reporters Association, 8224 Old Courthouse Road, Vienna, Virginia.

(c) The board may in its discretion approve continuing education and instructional courses.

(Adopted effective April 18, 2000)

Sec. 20-654-7. Complaints

All consumer complaints shall be in written form and shall be accompanied by documentation regarding the services provided and the dates upon which those services were provided.

(Adopted effective April 18, 2000)

Sec. 20-654-8. Discipline

(a) The Department of Consumer Protection may, upon the request of the State Board of Examiners of Shorthand Reporters or the verified complaint in writing of any person investigate the actions of any shorthand reporter or any person who assumes to act in the capacity of a shorthand reporter within this state.

(b) The State Board of Examiners of Shorthand Reporters shall give notice and afford opportunity for hearing, in accordance with the provisions of Chapter 54 of the Connecticut General Statutes and regulations established by the Commissioner of Consumer Protection, before imposing any penalties for violations of any provision of chapters 400 or 416 of the Connecticut General Statutes or any applicable regulations.

(c) The State Board of Examiners of Shorthand Reporters shall conduct hearings in accordance with the requirements set forth in Chapters 54 and 416 and the regulations enacted pursuant to those chapters.

(Adopted effective April 18, 2000)

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Registration of Homemaker-Companion Agencies

Sec. 20-670-1. Registration revocation, suspension, or refusal to issue or renew

The Commissioner of Consumer Protection may revoke, suspend, refuse to issue or renew any certificate of registration as a homemaker-companion agency, place an agency on probation, or issue a letter of reprimand for:

(1) Conduct by the agency of a character likely to mislead, deceive or defraud the public or the Commissioner; or

(2) Engaging in any untruthful or misleading advertising.

(Adopted effective August 3, 2009)

Sec. 20-670-2. Homemaker companion hiring practices

(a) The agency shall conduct a comprehensive background check of all employees and prospective employees. The agency shall require the employee or prospective employee to complete and sign a form which contains questions as to whether the current or prospective employee has been convicted of a crime involving violence or dishonesty in a state court or federal court in any state, or was subject to any decision imposing disciplinary action by a licensing agency in any state, the District of Columbia, a United States possession or territory or a foreign jurisdiction. The certification by each employee or prospective employee shall read:

''I certify that the statements made by me on this application are true and complete to the best of my knowledge and are made in good faith. I understand that if I knowingly make any misstatements of fact, I am subject to disqualification, dismissal, or other action pursuant to employment agency policy and procedure, and subject to criminal penalties as prescribed by law.''

(b) The agency shall maintain the form and comprehensive background check for each agency employee during the time of employment and for a period of three years from the date of the end of the employment relationship. The agency shall make the form and comprehensive background check available for inspection by agents of the Department of Consumer Protection during reasonable times.

(c) Applications for employment shall comply with Connecticut General Statutes Section 31-51i.

(Adopted effective August 3, 2009)

Sec. 20-670-3. Client service agreements

(a) A written contract or service plan shall be provided by the agency to the client, and a copy shall be kept by the Homemaker-Companion Agency. The agency shall not enforce the written contract or service plan unless it is signed by both the agency and client.

(b) Written contracts or service plans shall:

(1) provide a list of the anticipated services to be provided by the agency to the client, the term and cost of said services, a clear definition of the employee, provider and client employment relationship, safeguards for securing personal client information, a list of provider job categories such as ''live-in'' or ''daily call,'' and job duties;

(2) contain the homemaker-companion agency policy for the acceptance of gratuities and gifts by the homemaker-companion agency's employees and independent contractors on behalf of the client; and

(3) contain a process for the client to file a complaint with the homemaker-companion agency. A process shall be made available for individuals other than a client to file a complaint.

(Adopted effective August 3, 2009)

Sec. 20-670-4. Client contact, records

(a) The homemaker-companion agency shall provide the client with a contact phone number and address for the agency and an authorized representative to discuss the service being provided.

(b) Narrative notes of a substantive nature shall be kept with each client's file and shall include observations, problems, complaints, plans of action, telephone contacts, reports of in home visits by supervisors, and the findings of all investigations.

(Adopted effective August 3, 2009)